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BOARD of SUPERVISORS

City Hall
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San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF CANCELLED MEETING

RULES AND AUDITS COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the meeting of the Rules and Audits Committee scheduled for February 5, 2002 at 1:00 p.m. at 1 Dr. Carlton B. Goodlett Place, Room 263, City Hall, San Francisco, California, has been **cancelled**.

Gloria L. Young, Clerk of the Board

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City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Ge

Clerk: Deborah Muccino

Wednesday, February 20, 2002 | 10:00 AM | Legislative Chambers, Second Floor

Rescheduled Meeting

Members Present: Matt Gonzalez, Gerardo Sandoval, Tony Hall.

Meeting Convened

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The meeting convened at 10:06 a.m.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

012046 **[Instant Runoff Voting]**

Supervisor Gonzalez

Resolution supporting legislation recently introduced in the United States Congress by Representative Jesse Jackson Jr. regarding Instant Runoff Voting.

11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
12/17/01, REFERRED to Rules Committee. Supervisor Yee requested this matter be severed so it could be considered separately
1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure

RECOMMENDED

020092 **[Music Licensing Contracts; Chapter 21 Clean-Up]**

Ordinance authorizing Director of Administrative Services to enter into long term agreements for music licensing with performing rights societies as sole source agreements, amending Chapters 21 and 85 of the Administrative Code to correct certain references. (Administrative Services Department)

1/16/02, RECEIVED AND ASSIGNED to Rules Committee
1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure

RECOMMENDED

The foregoing items were acted upon by the following vote:
Ayes 3 - Gonzalez, Sandoval, Hall

Severed From Consent Agenda

011875 **[Amendments to Conflict of Interest Code]**

Ordinance amending Article III, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Sections 3.1-168, 3.1-218, 3.1-423 and 3.1-424, amending Sections 3.1-109, 3.1-110, 3.1-170, 3.1-215, 3.1-365 and 3.1-435, and repealing Section 3.1-355 to update the list of designated officials who must file financial disclosure statements and to modify the applicable disclosure requirements. (City Attorney)

10/17/01. ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/14/2001.

1/31/02. TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

Heard in Committee. Speakers: none.

Amendment of the whole bearing the same title presented by Supervisor Tony Hall.

Continued to March 5, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Gonzalez, Sandoval, Hall

REGULAR AGENDA

012288 **[Appointment]**

Hearing to consider appointing four members to the Emergency Room Diversion Task Force.

4 Seats Being Considered:
Vacant seat, succeeding Steven Polevoi, resigned, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Vacant seat, new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined;
Vacant seat, new position, seat 13, must be a representative of the Community Substance Abuse Services, term to be determined;
Vacant seat, new position, seat 16, must be the director of the Population, Health and Prevention Unit in the Department of Public Health, term to be determined.

12/20/01. CONTINUED TO CALL OF THE CHAIR. Divided from File No. 012122.

12/24/01. RECEIVED AND ASSIGNED to Rules Committee.

1/28/02. TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

Heard in Committee. Speakers: Rann Parker; Barbara Garcia.

Seat 2 and 10 divided and continued to the call of the chair. See File No. 020335.

DIVIDED.

Hearing to consider appointing two members to the Emergency Room Diversion Task Force.

2 Seats Being Considered:
Vacant seat, new position, seat 13, must be a representative of the Community Substance Abuse Services, term to be determined;
Vacant seat, new position, seat 16, must be the director of the Population, Health and Prevention Unit in the Department of Public Health, term to be determined.

Appointment of Rann Parker (residency requirement waived), seat 13, and Barbara Garcia, seat 16, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Rann Parker and Barbara Garcia, terms to be determined, to the Emergency Room Diversion Task Force, residency requirement waived.

Rann Parker (residency requirement waived), seat 13, must be a representative of the Community Substance Abuse Services, term to be determined:
Barbara Garcia, seat 16, must be the director of the Population, Health and Prevention Unit in the Department of Public Health, term to be determined.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Sandoval, Hall

020335 **[Appointment]**

Hearing to consider appointing two members to the Emergency Room Diversion Task Force.

2 Seats Being Considered:
Vacant seat, succeeding Steven Polevoi, resigned, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Vacant seat, new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined.

Divided from File No. 012288.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Sandoval, Hall

020159 **[Appointment to Telecommunications Commission]**

Mayor

Resolution approving the Mayor's appointment of Michael Rouan to the Telecommunications Commission, for the term ending July 1, 2002. (Mayor)

1/28/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee. Speakers: Helen Danina, Administrator, Telecommunications Commission, Michael Rouan.

RECOMMENDED by the following vote:
Ayes: 3 - Gonzalez, Sandoval, Hall

020111 [Appointment]

Hearing to consider appointing two members to the Citizens Advisory Committee on Elections.

2 Seat Being Considered:

Vacant Seat, succeeding Richard Shadoian, resigned, seat 1, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);

Vacant Seat, new position, seat 6, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

1/17/02. RECEIVED AND ASSIGNED to Rules Committee.

1/17/02. CONTINUED TO CALL OF THE CHAIR. Divided from File No. 011826.

1/24/02. CLERICAL CORRECTION. Seat 1 added due to resignation.

1/28/02. TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

Heard in Committee. Speakers: Thomas Schultz; Ted Lakey, Deputy City Attorney; Tammy Haygood, Director, Department of Elections; Edgar Parker; Elmo Wedderburn; William Duffy; Clement DeAmicis; Joseph Paul McGuire; Judith Berkowitz, Chris Bowman; Mr. Wilson.

Appointment of Judith Berkowitz, seat 1, and Joseph Paul McGuire, seat 6, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Judith Berkowitz and Joseph Paul McGuire, terms to be determined, to the Citizens Advisory Committee on Elections.

Judith Berkowitz, succeeding Richard Shadoian, resigned, seat 1, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);

Joseph Paul McGuire, new position, seat 6, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

RECOMMENDED.. by the following vote:

Ayes: 3 - Gonzalez, Sandoval, Hall

011941 [Appointment]
Hearing to consider appointing three members to the Juvenile Justice Advisory Committee.

3 Seats Being Considered:
Vacant seat, new appointment, seat 1, must have at least ten years experience working with at-risk youth, term ending September 1, 2002;
Vacant seat, new appointment, seat 2, must have an advance degree in law, criminal justice, public administration, social work or related field, and at least five years experience working as a juvenile justice consultant or administrator, term ending September 1, 2002;
Vacant seat, new appointment, seat 3, must have an advance degree in law, criminal justice, public administration, social work, or related field, and experience in working with young, at-risk women of color, term ending September 1, 2002.
10/22/01, RECEIVED AND ASSIGNED to Rules Committee.
1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; NTanya Lee; Edgar Parker; Whitney Leigh; Riva Enteen; Marissa Rosario Villaluna; Martina Gillis.

Appointment of NTanya Lee, seat 1, Riva Enteen, seat 2, and Whitney Leigh, seat 3, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing NTanya Lee, Riva Enteen, and Whitney Leigh, terms ending September 1, 2002, to the Juvenile Justice Advisory Committee.

NTanya Lee, new appointment, seat 1, must have at least ten years experience working with at-risk youth, term ending September 1, 2002;
Riva Enteen, new appointment, seat 2, must have an advance degree in law, criminal justice, public administration, social work or related field, and at least five years experience working as a juvenile justice consultant or administrator, term ending September 1, 2002;
Whitney Leigh, new appointment, seat 3, must have an advance degree in law, criminal justice, public administration, social work, or related field, and experience in working with young, at-risk women of color, term ending September 1, 2002.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Sandoval, Hall

012088 [Appointment]
Hearing to consider appointing one member to the Ethics Commission.

1 Seat Being Considered:
Vacant seat, new position, seat 1, must be a representative of the general public, term to be determined.
11/16/01, RECEIVED AND ASSIGNED to Rules Committee
1/28/02, TRANSFERRED to Rules and Audits Committee Transferred pursuant to new committee structure

Heard in Committee Speakers: Michael Mooney
CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

011720 [Appointment]

Hearing to consider seven appointments to the Drug Abuse Advisory Board.

7 Seats Being Considered:
Vacant seat, succeeding Leon Winston, seat 3, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;
Vacant seat, succeeding Matonia Williams, seat 6, must represent the public at large or a service provider, for the unexpired portion of a three-year term ending October 1 2002;
Vacant seat, succeeding Victoria Hunt, seat 7, must represent the public at large or a service provider, for the unexpired portion of a three-year term ending October 1 2002;
Vacant seat, succeeding Nick Roomel, seat 8, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;
Vacant seat, succeeding Jackson Wong, seat 9, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;
Vacant seat, succeeding Frederick Hobson, seat 13, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2003;
Vacant seat, succeeding Walter Joseph Kennedy, seat 15, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2003.

9/20/01. CONTINUED TO CALL OF THE CHAIR. Divided from file 011604

9/25/01, RECEIVED AND ASSIGNED to Rules Committee.

1/28/02. TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

1/30/02. CLERICAL CORRECTION to Rules and Audits Committee. Seats 3, 6, 7, 8, and 13 added due to expiration of terms and resignations.

Heard in Committee. Speakers: Danita Mathis, Administrator, Drug Abuse Advisory Board; Robert Wood; Keith Fowler; Paul Aguilar; Brian Haley; Ted Lakey, Deputy City Attorney.

Seats 6, 7, and 15 divided and continued to the call of the chair. See File No. 020336.

DIVIDED.

Hearing to consider four appointments to the Drug Abuse Advisory Board.

4 Seats Being Considered:
Vacant seat, succeeding Leon Winston, seat 3, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;
Vacant seat, succeeding Nick Roomel, seat 8, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;
Vacant seat, succeeding Jackson Wong, seat 9, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;
Vacant seat, succeeding Frederick Hobson, seat 13, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2003.

Appointment of Robert Wood, seat 3, Keith Fowler, seat 8, Paul Aguilar (residency requirement waived), seat 9, and Brian Haley, seat 13, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Robert Wood, Keith Fowler, and Paul Aguilar, terms ending October 1, 2004, and Brian Haley, term ending October 1, 2003, to the Drug Abuse Advisory Board, residency requirement waived.

Robert Wood, succeeding Leon Winston, seat 3, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;
Keith Fowler, succeeding Nick Roomel, seat 8, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;
Paul Aguilar (residency requirement waived), succeeding Jackson Wong, seat 9, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2004;
Brian Haley, succeeding Frederick Hobson, seat 13, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2003.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Sandoval, Hall

020336 **[Appointment]**
Hearing to consider appointing three members to the Drug Abuse Advisory Board.

3 Seats Being Considered:
Vacant seat, succeeding Matonia Williams, seat 6, must represent the public at large or a service provider, for the unexpired portion of a three-year term ending October 1 2002;
Vacant seat, succeeding Victoria Hunt, seat 7, must represent the public at large or a service provider, for the unexpired portion of a three-year term ending October 1 2002;
Vacant seat, succeeding Walter Joseph Kennedy, seat 15, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2003.

Divided from File No. 011720.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Sandoval, Hall

012084 **[Appointment]**
Hearing to consider appointing eight members to the United Nations Plaza Working Group.

8 Seats Being Considered:
Vacant seat, new position, seat 1, must be a member of the United Nations Association, term to be determined;
Vacant seat, new position, seat 2, must be a member of the Market Street Association, term to be determined;
Vacant seat, new position, seat 3, must be a residential tenant in the proximity of United Nations Plaza, term to be determined;
Vacant seat, new position, seat 4, must be a vendor at the Farmer's Market held in the United Nations Plaza, term to be determined;
Vacant seat, new position, seat 5, must be a homeless advocate, term to be determined;
Vacant seat, new position, seat 6, must represent the public at large, term to be determined;
Vacant seat, new position, seat 7, must represent the public at large, term to be determined;
Vacant seat, new position, seat 8, must represent the public at large, term to be determined.

11/15/01, RECEIVED AND ASSIGNED to Rules Committee
1/28/02, TRANSFERRED to Rules and Audits Committee Transferred pursuant to new committee structure

Heard in Committee. Speakers: Christina Adams; Christopher Chow, Paul Leaman, Nancy Hogan Beverly Karnatz; Richard Allman; Mr Dolfee; Supervisor Chris Daly

Seat 1, 2, and 4 divided and continued to the call of the chair See File No 020337

DIVIDED.

Hearing to consider appointing five members to the United Nations Plaza Working Group.

5 Seats Being Considered:
Vacant seat, new position, seat 3, must be a residential tenant in the proximity of United Nations Plaza, term to be determined;
Vacant seat, new position, seat 5, must be a homeless advocate, term to be determined;
Vacant seat, new position, seat 6, must represent the public at large, term to be determined;
Vacant seat, new position, seat 7, must represent the public at large, term to be determined;
Vacant seat, new position, seat 8, must represent the public at large, term to be determined.

Appointment of Nancy Hogan, seat 3, Paul Leaman, seat 5, Christina Adams, seat 6, Christopher Chow, seat 7, and Richard Allman, seat 8, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Nancy Hogan, Paul Leaman, Chrstina Adams, Christopher Chow, and Richard Allman, terms to be determined, to the United Nations Plaza Working Group.

Nancy Hogan, new position, seat 3, must be a residential tenant in the proximity of United Nations Plaza, term to be determined;
Paul Leaman, new position, seat 5, must be a homeless advocate, term to be determined;
Christina Adams, new position, seat 6, must represent the public at large, term to be determined;
Christopher Chow, new position, seat 7, must represent the public at large, term to be determined;
Richard Allman, new position, seat 8, must represent the public at large, term to be determined.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Sandoval, Hall

020337 **[Appointment]**

Hearing to consider appointing three members to the United Nations Plaza Working Group.

3 Seats Being Considered:
Vacant seat, new position, seat 1, must be a member of the United Nations Association, term to be determined;
Vacant seat, new position, seat 2, must be a member of the Market Street Association, term to be determined;
Vacant seat, new position, seat 4, must be a vendor at the Farmer's Market held in the United Nations Plaza, term to be determined.

Divided from File No. 012084.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Sandoval, Hall

011602 **[Appointment]**

Hearing to consider appointing three members to the Veterans Affairs Commission. (Clerk of the Board)

3 Seats Being Considered:
Vacant seat, succeeding Charles Coolidge, deceased, seat 7, must be a person who served in the Armed Forces of the United States of America and is suffering from a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veterans' Administration, unexpired portion of a four-year term ending January 31, 2003;
Vacant seat, succeeding Maceo May, seat 8, must be an at-large appointment, unexpired portion of a four-year term ending January 31, 2003;
Vacant, seat succeeding Robert De La Cruz, seat 11, must be an at-large appointment, unexpired portion of a four-year term ending January 31, 2003.

8/29/01, RECEIVED AND ASSIGNED to Rules Committee.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

Heard in Committee. Speakers: C. J. O'Mara; Vincent Rios; Bud Wilson; Aaron Zeff; Carol Cook; Richard Ceretz; Glenn Raswyck.

Appointment of Vincent Rios (residency requirement waived), seat 7, Bud Wilson, seat 8, and Aaron Zeff, seat 11, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Vincent Rios, Bud Wilson, and Aaron Zeff, terms ending January 31, 2003, to the Veterans Affairs Commission, residency requirement waived. (Clerk of the Board)

Vincent Rios (residency requirement waived), succeeding Charles Coolidge, deceased, seat 7, must be a person who served in the Armed Forces of the United States of America and is suffering from a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veterans' Administration, unexpired portion of a four-year term ending January 31, 2003;
Bud Wilson, succeeding Maceo May, seat 8, must be an at-large appointment, unexpired portion of a four-year term ending January 31, 2003;
Aaron Zeff, succeeding Robert De La Cruz, seat 11, must be an at-large appointment, unexpired portion of a four-year term ending January 31, 2003.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Sandoval, Hall

020087 **[Auditor for November 7, 2000 and November 6, 2001 Elections]**

Supervisor Gonzalez

Motion directing the Clerk of the Board of Supervisors, in consultation with the Elections Commission and California Secretary of State and subject to approval by the Board of Supervisors, to select an auditor to retally ballots cast in the November 7, 2000 Consolidated Municipal Election and recanvass ballots cast in a random sample of precincts in the November 6, 2001 Consolidated Municipal Election.

1/14/02, RECEIVED AND ASSIGNED to Rules Committee

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure

Heard in Committee. Speakers: John Mott-Smith, California Secretary of State Office Tammy Haygood Director, Department of Elections; Thomas Schultz, Ross Mirkirimi, Bob Planthold, male, Chris Bowman, David Rochard.

Amendment of the whole bearing the same title

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:
Ayes 3 - Gonzalez, Sandoval, Hall

011680 [Continuum of Care Plan]

Supervisor Gonzalez

Resolution amending the Continuum of Care Plan to provide that the Board of Supervisors shall appoint a representative of the veteran's advocacy community and shall appoint all neighborhood/community representatives to the Local Homeless Coordinating Board.

9/24/01. RECEIVED AND ASSIGNED to Rules Committee.

12/6/01. CONTINUED. Heard in Committee. Speakers: none.

Continued to December 20, 2001.

12/20/01. AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Jennifer Friedenbach.

12/20/01. CONTINUED AS AMENDED Continued to January 9, 2001.

1/9/02. CONTINUED. Heard in Committee. Speakers: none

Continued to February 7, 2002

1/28/02. TRANSFERRED to Health and Human Services Committee. Transferred pursuant to new committee structure.

Item transferred to Health and Human Services Committee pursuant to new committee structure. No action taken.

020017 [Whistleblowers]

Supervisor Gonzalez

Ordinance amending Sections 4.100, 4.105, 4.110 and 4.115 of the San Francisco Campaign and Governmental Conduct Code to: provide protection to whistleblowers who file a written complaint with the complainant's department regarding improper government activity by a City officer or employee; provide a list of the types of complaints of improper government activity; and clarify that protections for whistleblowers apply only when the whistleblower is subject to certain adverse employment actions.

1/7/02, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/6/2002.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

Heard in Committee. Speakers: Ginny Vida, Executive Director, Ethics Commission; Robert Planthold; Ed Harrington, Controller.

Amendment of the whole bearing a new title presented by Supervisor Matt Gonzalez.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending Sections 4.100, 4.105, 4.110 and 4.115 of the San Francisco Campaign and Governmental Conduct Code to: provide protection to whistleblowers who file a complaint with the Controller or City Attorney or a written complaint with the complainant's department regarding improper government activity by a City officer or employee; provide a list of the types of complaints of improper government activity; clarify that protections for whistleblowers apply only when the whistleblower is subject to certain adverse employment actions; and require that the Ethics Commission prepare and all City departments post a notice about protections for whistleblowers.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Sandoval

Absent: 1 - Hall

LITIGATION

020126 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Laura Williams against the City and County of San Francisco for $37,500.00; the lawsuit was filed on July 11, 2000 in San Francisco Superior Court, Case No. 313-526; entitled Williams, et al., v. City and County of San Francisco, et al; other material terms of said settlement are BART will also contribute $37,500.00. (City Attorney)

1/30/02. RECEIVED AND ASSIGNED to Rules and Audits Committee

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

020139 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by El Paso Energy Marketing Co. against the City and County of San Francisco for $67,999.00; the lawsuit was filed on February 6, 2001 in San Francisco Superior Court, Case No. 318-666; entitled El Paso Energy Marketing Co. v. City and County of San Francisco. (City Attorney)

2/5/02. RECEIVED AND ASSIGNED to Rules and Audits Committee

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

ADJOURNMENT

The meeting adjourned at 3:35 p.m.

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Members: Supervisors Tony Hall, Matt Gonzalez and G

Clerk: Deborah Muccino

[Health/Human Svcs Committee]

Tuesday, March 05, 2002 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

Meeting Convened

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The meeting convened at 1:03 p.m.

REGULAR AGENDA

020277 **[Sunshine Ordinance Task Force Annual Report]**

Supervisor Hall

Hearing regarding presentation from the Sunshine Ordinance Task Force on their December 2001 report to the Board of Supervisors.

2/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Hilda Bernstein, Chairperson, Sunshine Ordinance Task Force; Ted Lakey, Deputy City Attorney; Donna Hall, Administrator, Sunshine Ordinance Task Force; Ginny Vida, Administrator; Ethics Commission; Bob Planthold.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

012088 **[Appointment]**

Hearing to consider appointing one member to the Ethics Commission.

1 Seat Being Considered:

Vacant seat, new position, seat 1, must be a representative of the general public, term to be determined.

11/16/01, RECEIVED AND ASSIGNED to Rules Committee

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure

2/20/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Michael Mooney

Heard in Committee. Speakers: Michael Mooney; Michael Garcia; Alexandra Nickliss; Ted Lakey, Deputy City Attorney.

Appointment of Michael Garcia, seat 1, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Michael Garcia, term to be determined, to the Ethics Commission.

Michael Garcia, new position, seat 1, must be a representative of the general public, term to be determined.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Noes: 1 - Sandoval

020339 [Appointment]

Resolution appointing Supervisor Leland Yee, term ending February 1, 2005, to the Bay Area Air Quality Management District Board of Directors.

Supervisor Leland Yee, succeeding Supervisor Tony Hall, Seat No. 1, must be a member of the San Francisco Board of Supervisors, for the unexpired portion of a four-year term ending February 1, 2005.

2/22/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: none.

Continued to March 19, 2002.

CONTINUED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

011741 [Catastrophic Sick Leave Ordinance]

Supervisors Ammiano, Sandoval

Ordinance repealing Section 16.9-29 of the San Francisco Administrative Code and replacing it with new Section 16.9-29A to authorize the transfer of vacation and sick leave credits to a pool of catastrophically ill employees and to individual catastrophically ill employees, and adding new Section 16.9-29B to authorize the transfer of vacation credits to individual employees with catastrophically ill family members.

10/1/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/31/2001.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

Heard in Committee. Speakers: Frederick Sheinfield, Deputy City Attorney; Brad Benson, aide to Supervisor Ammiano.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

011875 **[Amendments to Conflict of Interest Code]**

Ordinance amending Article III, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Sections 3.1-168, 3.1-218, 3.1-423 and 3.1-424, amending Sections 3.1-109, 3.1-110, 3.1-170, 3.1-175, 3.1-215, 3.1-365 and 3.1-435, and repealing Section 3.1-355 to update the list of designated officials who must file financial disclosure statements and to modify the applicable disclosure requirements. (City Attorney)

10/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/14/2001.

1/31/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

2/20/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: none.

Amendment of the whole bearing the same title presented by Supervisor Tony Hall.

Continued to March 5, 2002.

2/20/02, CONTINUED AS AMENDED.

2/25/02, SUBSTITUTED. Supervisor Hall submitted a substitute ordinance bearing new title.

2/26/02, ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney.

Amendment of the whole bearing a new title presented by Ted Lakey, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending Article III, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Sections 3.1-168, 3.1-218, 3.1-423 and 3.1-424, amending Sections 3.1-109, 3.1-110, 3.1-170, 3.1-175, 3.1-215, 3.1-365, 3.1-410 and 3.1-435, and repealing Section 3.1-355 to update the list of designated officials who must file financial disclosure statements and to modify the applicable disclosure requirements. (City Attorney)

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

ADJOURNMENT

The meeting adjourned at 2:13 p.m.

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

CITY AND COUNTY OF S

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

February 28, 2002

TO: Rules and Audits Committee

FROM: Budget Analyst

SUBJECT: March 5, 2002 Rules and Audits Committee Meeting

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Item 4 – File 01-1741

Departments: Department of Human Resources (DHR)
Department of Public Health (DPH)

Item: Ordinance amending Section 16.9-29A of the San Francisco Administrative Code to make technical corrections to the City's Catastrophic Illness Program (CIP).

Description: In August of 2001, the Board of Supervisors approved an ordinance (File 01-0059) which repealed Section 16.9-29 of the City's Administrative Code and replaced it with Section 16.9-29A, Catastrophic Illness Program, and added Section 16.9-29B, Catastrophic Illness Program for Family Members.

Currently, Section 16.9-29A of the Administrative Code permits eligible City and County (City) employees to donate their sick leave and vacation time to either a pool of donated time for catastrophically (life-threatening) ill City employees or to an individual catastrophically ill City employee.

The proposed ordinance would make the following corrections to Section 16.9-29A:

- Define an active participant in the CIP as, "a City employee who has applied for Catastrophic Illness Status and has been notified of his or her acceptance in the CIP by the Department of Public Health or its designee and whose participation in the CIP has not terminated, regardless of whether or not the employee has actually received any donated sick leave and/or vacation credit."
- Clarify that any City employee who is actively participating in or is eligible to participate in a short or long-term disability program for which the City pays in whole, directly or indirectly, may not concurrently participate in the CIP and the disability program.
- Stipulate that active participants in the CIP as of the effective date of the proposed ordinance are permitted to remain in the CIP even if such employees are eligible for a short or long term disability program paid for by the City in whole, directly or indirectly.

Comments:

1. Currently, to be eligible for the CIP, the City employee must meet the following conditions: (1) the employee must be eligible to accumulate and use sick leave and vacation time; (2) the employee must be catastrophically ill; (3) the employee must have exhausted all of his/her available paid leave; and, (4) the employee must not be concurrently participating in a short or long term disability program. A City employee who claims to be catastrophically ill must complete an application form and return it to the Department of Public Health (DPH) along with supporting medical documentation. The DPH examines the application and supporting materials to determine if an employee is considered catastrophically ill. The DPH would then approve participation in the CIP for a specified period of time. Employees who are determined by DPH not to be catastrophically ill have the right to appeal and/or can reapply for participation in the CIP after observing a 30-day waiting period from the date of the denial (an employee is not required to have exhausted the administrative appeal process before reapplying). Mr. Ed Gazzano of DPH states that, on average, there are approximately 40 employees in the City's CIP at any given time.

Under the proposed ordinance the eligibility guidelines would remain the same. However, the proposed ordinance

would clarify that an employee cannot concurrently participate in the CIP and in a short or long term disability program that is paid for in whole by the City unless the employee is already an active participant in the CIP as of the effective date of this proposed ordinance. According to Mr. Gazzano, this proposed ordinance would codify existing practices and therefore would not result in any additional costs to the City.

2. According to Ms. Alice Villagomez of the Department of Human Resources (DHR), the City has currently entered into 18 Memoranda of Understanding (MOUs) plus an ordinance covering unrepresented City employees, which provide for long-term disability programs for which the City pays in whole, directly or indirectly. The Attachment to this report, provided by DHR, identifies the number of budgeted positions as of January of 2002 for each of the 48 MOUs between the City and employee organizations, including the 18 MOUs plus an ordinance covering unrepresented City employees, which provide for City-paid long-term disability programs and the remaining 30 MOUs that do not currently have long-term disability programs. City employees covered by those 18 MOUs and the ordinance covering the unrepresented City employees would not be eligible to concurrently participate in the long-term disability program and the CIP unless the City employee is already participating in the CIP as of the effective date of this proposed ordinance.

3. According to Ms. Clare Murphy of the San Francisco Employees' Retirement System, the proposed ordinance should not have significant fiscal impact on the City and County's pension costs. Ms. Murphy advises that since the CIP allows City employees to continue to be paid beyond the date when their personal sick pay and vacation balances are exhausted, in rare cases, such extended pay may increase the level of a retirement or death benefits, but such increased benefits would generally be insignificant.

Recommendation: Approve the proposed ordinance.

Harvey M. Rose

cc: Supervisor Hall
Supervisor Gonzalez
Supervisor Sandoval
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey

DEPARTMENT OF HUMAN RESOURCES
EMPLOYEE RELATIONS DIVISION

LONG TERM DISABILITY (LTD) BENEFITS BY MOU* *(Revised Feb. 2002)*

UNION CODE	CONTRACT	BUDGETED POSITIONS [1]	CONTRACT EXPIRATION	LTD	LTD BENEFITS
250 535 790	SEIU, Locals 250, 535, & 790	11,307	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
003	Operating Engineers, Local 3	59	6/30/03		
004	Painters, Local 4	117	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
006	Electrical Workers, Local 6	792	6/30/03		
007 036	Bricklayers Local 3 & Hodcarriers, Local 36	16	6/30/03		
016	Theatrical Stage Employees, Local 16	3	6/30/03		
034	Pile Drivers, Local 34	15	6/30/03		
038	Plumbers, Local 38	343	6/30/03		
040	Roofers, Local 40	11	6/30/03		
066	Plasterers, Local 66	0	6/30/03		
104	Sheet Metal Workers, Local 104	58	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
130	Auto. Machinists, Local 1414	430	6/30/03		
216	Teamsters Local 853	168	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
236	Carpenters, Local 22	110	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
261	Laborers Internat'l, Local 261	1,072	6/30/03		

[1] Budgeted positions as of January, 2002

**Please refer to the relevant Memorandum of Understanding for full details on the provisions cited herein. If you have any questions on the interpretation or application of a particular provision, please contact the Employee Relations Division at 557-4990.*

UNION CODE	CONTRACT	BUDGETED POSITIONS 1	CONTRACT EXPIRATION	LTD	LTD BENEFITS
377	Ironworkers, Local 377	19	6/30/03		
419	District Attorney Investigators' Ass'n	74	6/30/03		
580	Cement Masons, Local 580	23	6/30/03		
718	Glaziers, Local 718	13	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
930 929	Building Inspectors, Classes 6331 & 6333	82	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
	Class 6334			✓	
965	Supervising Probation Officers, Local 3	22	6/30/03		
969	SF Institutional Police	17	6/30/03		
651	Probation Officers Ass'n	169	6/30/03		
021 022	Professional & Tech, Local 21	4,421	6/30/01	✓	LTD is **66.6%** of salary after 90 day elimination (waiting) period
164	Physicians & Dentists (UAPD), 8-CC	180	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
163	UAPD, 11-AA			✓	
001	Misc. Unrepresented, Ordinance	98	6/30/02	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
002	Mgmt. Unrepresented, Ordinance	53			
351	MEA, Units M & EM	985	6/30/03		
039	Stationary Engineers, Local 39	681	6/30/03		
311	Municipal Attorneys' Ass'n	418	6/30/01	✓	LTD is **66.6%** of salary after 90 day elimination (waiting) period
350	Teamsters, Local 350	2	6/30/03		
856	Teamsters, Local 856	130	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.

UNION CODE	CONTRACT	BUDGETED POSITIONS 1	CONTRACT EXPIRATION	LTD	LTD BENEFITS
352	MEA – Fire (No New MOU Yet)	9	6/30/01		
353	MEA – Police (No New MOU Yet)	4	6/30/01		
798	Firefighters, Local 798 (Unit 1)	1,747	6/30/03		
799	Firefighters, Local 798 (Unit 2)				
911	POA, Local 911	2,447	6/30/03		
793	SEIU, Local 790 H-1 Fire Rescue Paramedics (No New MOU Yet)	55	6/30/01		
498	Deputy Sheriffs' Association	838	6/30/03		
200	Transport Workers' Union, Local 200	320	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
252	TWU, Local 250A, Class 7410	147	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
253	TWU, Local 250A, Class 9163	2,113	6/30/04		
251	TWU, Local 250A, Multi-Unit	110	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
791	SEIU, Local 790 Nurses	1,416	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
800	Per Diem Nurses				
858	Supervising Nurses, Teamsters, Local 856	153	6/30/03	✓	LTD pays 60% of salary after 180 day elimination (waiting) period.
981	Calif. Ass'n of Interns & Residents	204	6/30/03		

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City and County of San Francisc
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gera[illegible]

Clerk: Deborah Mucciito

Tuesday, March 19, 2002 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

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Meeting Convened

The meeting convened at 1:15 p.m.

REGULAR AGENDA

020337 **[Appointment]**
Hearing to consider appointing three members to the United Nations Plaza Working Group.

3 Seats Being Considered:
Vacant seat, new position, seat 1, must be a member of the United Nations Association, term to be determined;
Vacant seat, new position, seat 2, must be a member of the Market Street Association, term to be determined;
Vacant seat, new position, seat 4, must be a vendor at the Farmer's Market held in the United Nations Plaza, term to be determined.

2/20/02, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 012084
2/21/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Roderick Kiracofe.

Seats 1 and 4 divided and continued to the call of the chair. See File No. 020484.

DIVIDED.

Hearing to consider appointing one member to the United Nations Plaza Working Group.

1 Seats Being Considered:
Vacant seat, new position, seat 2, must be a member of the Market Street Association, term to be determined.

Appointment of Roderick Kiracofe, seat 2, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Roderick Kiracofe, term to be determined, to the United Nations Plaza Working Group, residency requirement waived.

Roderick Kiracofe (residency requirement waived), new position, seat 2, must be a member of the Market Street Association, term to be determined.

RECOMMENDED.. by the following vote:

Ayes 2 - Hall, Gonzalez
Absent 1 - Sandoval

020484 **[Appointment]**
Hearing to consider appointing two members to the United Nations Plaza Working Group.

2 Seats Being Considered:
Vacant seat, new position, seat 1, must be a member of the United Nations Association, term to be determined;
Vacant seat, new position, seat 4, must be a vendor at the Farmer's Market held in the United Nations Plaza, term to be determined.

Divided from File No. 020337.

CONTINUED TO CALL OF THE CHAIR.

020335 **[Appointment]**
Hearing to consider appointing two members to the Emergency Room Diversion Task Force.

2 Seats Being Considered:
Vacant seat, succeeding Steven Polevoi, resigned, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Vacant seat, new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined.

2/20/02. CONTINUED TO CALL OF THE CHAIR. Divided from File No. 012288.

2/21/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Richard Shortall; Thomas Peitz; Catherine Garza, aide to Supervisor Newsom; Dr. John Brown.

Appointment of Thomas Peitz, seat 2, and Richard Shortall, seat 10, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Thomas Peitz and Richard Shortall, terms to be determined, to the Emergency Room Diversion Task Force, residency requirement waived.

Thomas Peitz (residency requirement waived), succeeding Steven Polevoi, resigned, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Richard Shortall (residency requirement waived), new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020283 [Fire Department Audit]

Supervisor Peskin

Hearing to review the findings and recommendations contained in the recently released Fire Department audit submitted by the Budget Analyst's Office.

2/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Harvey Rose, Budget Analyst's Office; Steve Foti, Budget Analyst's Office; Ken Bruce, Budget Analyst's Office; Mario Trevino, Chief, San Francisco Fire Department; Dr. John Brown; Severin Campbell, Budget Analyst's Office; Khai Ali, Assistant Deputy Chief, San Francisco Fire Department; Russ McCallion, EMS Section Chief-Operations, San Francisco Fire Department; Rich Shortall, EMS Chief, San Francisco Fire Department; Allen Gibson, Budget Analyst's Office; Christine Regan; Joanne Hayes White, San Francisco Fire Department; Stan Jones, Budget Analyst's Office; Fred Howell, Budget Analyst's Office; John Hanley.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020319 [Municipal Code Amendment - Deletion of Court Reporter Requirement for Board of Appeals]

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 11 to authorize the Board of Appeals to use the Department of Telecommunications and Information Technology's Citywatch Cable Channel 54 videotape as a record of the Board's proceedings in lieu of attendance at the hearing by a court reporter. (Board of Appeals)

2/27/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Robert Feldman, Executive Director, Board of Appeals; Ted Lakey, Deputy City Attorney.

Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 11 to authorize the Board of Appeals to use the Department of Telecommunications and Information Technology's Citywatch Cable Channel videotape or an audiotape as a record of the Board's proceedings in lieu of attendance at the hearing by a court reporter. (Board of Appeals)

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020114 **[Requiring Early Voting in Each Supervisorial District]**

Supervisor Gonzalez

Ordinance amending the Municipal Elections Code to require the Department of Elections to establish at least three satellite locations in each Supervisorial district for early voting during the ten calendar days immediately preceding any election held in the City and County of San Francisco.

(Fiscal impact.)

1/22/02. ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 2/21/2002.
1/28/02. TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.
2/14/02. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee. expires on 2/21/2002.

Heard in Committee. Speakers: Ken Bruce, Budget Analyst's Office.

Continued to April 3, 2002.

CONTINUED by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020339 **[Appointment]**

Resolution appointing Supervisor Leland Yee, term ending February 1, 2005, to the Bay Area Air Quality Management District Board of Directors.

Supervisor Leland Yee, succeeding Supervisor Tony Hall, Seat No. 1, must be a member of the San Francisco Board of Supervisors. for the unexpired portion of a four-year term ending February 1, 2005.

2/22/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.
3/5/02. CONTINUED. Heard in Committee. Speakers: none.

Continued to March 19, 2002.

Heard in Committee. Speakers: Supervisor Leland Yee.

REFERRED WITHOUT RECOMMENDATION by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020020 **[Bond Truth Act]**

Supervisor Yee

Ordinance amending Chapter 10 of the Administrative Code by adding Article IX thereto; requiring any ballot measure submitted to the voters to include certain information; requiring public access to financing proposals for capital projects; requiring the commitment of additional funds for projects financed in part with bond proceeds; limiting the transferability of bond authority for other projects; authorizing the expiration of bond authority; requiring the Controller to enforce this Article; and all other matters related thereto.

1/7/02. ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 2/6/2002.
1/28/02. TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

Heard in Committee. Speakers: Supervisor Leland Yee; Monique Moyer, Mayor's Office; Ken Bruce, Budget Analyst's Office; Ed Harrington, Controller; Michael Alexander, SPUR; Eileen Moller; Nancy Worfel; Doug Comstock; Bud Wilson; Ted Lakey, Deputy City Attorney.

Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Continued to April 3, 2002.

CONTINUED AS AMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020407 [General Obligation Bond Accountability Reports]

Supervisor Yee

Ordinance amending Chapter 2, Article VIII of the Administrative Code of the City and County of San Francisco to provide additional further requirements for the expenditure of general obligation bond proceeds.

3/11/02, RECEIVED AND ASSIGNED to Finance Committee.

3/12/02, TRANSFERRED to Rules and Audits Committee.

Heard in Committee. Speakers: Supervisor Leland Yee; Ken Bruce, Budget Analyst's Office; Ted Lakey, Deputy City Attorney.

Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

LITIGATION

020110 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Fannie Williams, Mariah Gorge (a minor by and through her Guardian ad litem Fannie Williams), Brenda Williams against the City and County of San Francisco for $175,000; the lawsuit was filed on February 2, 1998 in San Francisco Superior Court, Case No. 992-174; entitled Fannie Williams, et al., v. Les Adams, City and County of San Francisco, et al; other material term of said settlement is waiver of $45,522.01 lien to San Francisco General Hospital. (City Attorney)

3/4/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020249 [Settlement of Lawsuit]

Ordinance authorizing settlement of the matter of Stephanie Fouchia v. City and County of San Francisco for $65,000. The lawsuit was filed on March 7, 2001, in San Francisco Superior Court, Case No. 319-456; entitled Stephanie Fouchia v. City and County of San Francisco. (City Attorney)

2/26/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020255 [Settlement of Lawsuit]

Ordinance authorizing §998 offer of judgment in the lawsuit filed by Frank Rodriguez against the City and County of San Francisco for $30,001.00; the lawsuit was filed on October 11, 2001 in San Francisco Superior Court, Case No. 400-133; entitled Frank Rodriguez, v. City and County of San Francisco, et al. (City Attorney)

3/4/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance authorizing §998 offer of judgment in the lawsuit filed by Frank Rodriguez against the City and County of San Francisco for $30,001.00 plus reasonable attorneys' fees not to exceed $30,000 and costs; the lawsuit was filed on October 11, 2001 in San Francisco Superior Court, Case No. 400-133; entitled Frank Rodriguez, v. City and County of San Francisco, et al. (City Attorney)

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020330 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Miguel Martinez (Barrera) against the City and County of San Francisco for $412,500.00; the lawsuit was filed on June 23, 2000 in Superior, Case No. 313-139; entitled Miguel Martinez (Barrera) vs.City and County of San Francisco, et al. (City Attorney)

3/6/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020331 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Rosa Corrales against the City and County of San Francisco for $500,000.00; the lawsuit was filed on October 3, 2000 in San Francisco Superior Court, Case No. 315-584; entitled Rosa Corrales v. Regents of the University of California, et al; there are no other material terms to said settlement. (City Attorney)

3/6/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

ADJOURNMENT

The meeting adjourned at 10:56 p.m.

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3/19/02

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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March 14, 2002

TO: Rules and Audits Committee

FROM: Budget Analyst

SUBJECT: March 19, 2002 Rules and Audits Committee Meeting

Item 5 – File 02-0114

Departments: Department of Elections (DOE)

Item: Ordinance amending the San Francisco Elections Code by adding Section 130 to require the Department of Elections to establish at least three satellite voting locations in each of the 11 Supervisorial districts for early voting for voters using absentee ballots during the ten calendar days immediately preceding any election held in the City and County of San Francisco.

Description: The proposed ordinance amending the San Francisco Municipal Elections Code by adding Section 130 would:

- Require DOE to establish at least three satellite voting locations in each of the 11 Supervisorial districts, or at least 33 satellite voting locations, for early voting for voters using absentee ballots for ten calendar days prior to any election held in San Francisco.
- Require that the Department of Elections serve as one of the satellite voting locations for the Supervisorial district in which the Department is located.

- Require each satellite voting location to operate from at least 8:00 AM to 5:00 PM on weekdays and 10:00 AM to 5:00 PM on weekend days.
- Require those satellite voting locations to have the same hours of operation as the polling places on election day.
- Permit the Elections Commission to approve the location of the satellite voting site and the hours of operation for those satellite voting locations, without subsequent Board of Supervisors approval.

Comments:

1. According to Ms. Julia Moll of the City Attorney's Office, currently the Department of Elections serves as a satellite voting location for absentee voters who want to vote prior to an election. Ms. Moll is uncertain what the hours of operation are for the satellite voting location located at the Department of Elections.

2. The Budget Analyst notes that although the proposed ordinance is likely to have significant fiscal impact on the Department of Elections, as of the writing of this report, Ms. Tammy Haygood of the Department of Elections was not able to estimate any of the costs of the proposed ordinance, costs of the existing satellite voting location, nor indicate if DOE would be able to implement the proposed ordinance before the next scheduled election in November of 2002.

Recommendation: Continue the proposed ordinance until the Department of Elections can provide cost estimates for the proposed ordinance and details on how the Department would implement the proposed ordinance.

Harvey M. Rose

cc: Supervisor Hall
Supervisor Gonzalez
Supervisor Sandoval
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey

[Budget Analyst Report]
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2/02

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

March 28, 2002

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TO: Rules and Audits Committee

FROM: Budget Analyst

SUBJECT: April 2, 2002 Rules and Audits Committee Meeting

Item 6 – File 02-0114

Note: This item was continued by the Rules and Audits Committee at its meeting of March 19, 2001.

Departments: Department of Elections (DOE)

Item: Ordinance amending the San Francisco Elections Code by adding Section 130 to require the Department of Elections to establish at least three satellite voting locations in each of the 11 Supervisorial districts for early voting for voters using absentee ballots during the ten calendar days immediately preceding any election held in the City and County of San Francisco.

Description: The proposed ordinance amending the San Francisco Municipal Elections Code by adding Section 130 would:

- Require DOE to establish at least three satellite voting locations in each of the 11 Supervisorial districts, or at least 33 satellite voting locations, for early voting for voters using absentee ballots for ten calendar days prior to any election held in San Francisco.

- Require that the Department of Elections serve as one of the three satellite voting locations for the Supervisorial district in which the Department is located.
- Require each satellite voting location to operate from at least 8:00 AM to 5:00 PM on weekdays and 10:00 AM to 5:00 PM on weekend days.
- Require those satellite voting locations to have the same hours of operation as the polling places on election day.
- Permit the Elections Commission to approve the location of the satellite voting site and the hours of operation for those satellite voting locations, without subsequent Board of Supervisors approval.

Comments:

1. According to Ms. Julia Moll of the City Attorney's Office, currently the Department of Elections serves as a satellite voting location for absentee voters who want to vote prior to an election. Ms. Moll is uncertain what the hours of operation are for the satellite voting location located at the Department of Elections.

2. The Budget Analyst notes that although the proposed ordinance is likely to have significant fiscal impact on the Department of Elections, as of the writing of this report, Ms. Tammy Haygood of the Department of Elections was not able to estimate any of the costs of the proposed ordinance, costs of the existing satellite voting location, nor indicate if DOE would be able to implement the proposed ordinance before the next scheduled election in November of 2002.

Recommendation: Continue the proposed ordinance until the Department of Elections can provide cost estimates for the proposed ordinance and details on how the Department would implement the proposed ordinance.

Harvey M. Rose

cc: Supervisor Hall
Supervisor Gonzalez
Supervisor Sandoval
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey

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3/02

City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Wednesday, April 03, 2002 **1:00 PM** **Legislative Chambers - Second Floor**

Rescheduled Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

Meeting Convened

DOCUMENTS DEPT

APR - 5 2002

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PUBLIC LIBRARY

The meeting convened at 1:09 p.m.

REGULAR AGENDA

020419 **[Appointment of Major General James M. Myatt]**

Mayor

Resolution approving the Mayor's appointment of Major General James M. Myatt to the Telecommunications Commission, for the term ending July 1, 2002. (Mayor)

3/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Major General James M. Myatt; John Kennedy, Deputy City Attorney; Denise Brady.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

012004 **[Real Estate Loan Counseling and Education Program]**

Supervisors Yee, Sandoval

Ordinance adding Chapter 92 to the Administrative Code approving a pilot consumer counseling and educational program in the Department of Aging and Adult Services, including distribution of educational materials on predatory loan practices, and provision of individual loan counseling for loans secured by San Francisco residential property.

11/5/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 12/5/2001

1/28/02, TRANSFERRED to Rules and Audits Committee new committee structure, 2/1/02

Heard in Committee. Speakers. Supervisor Leland Yee; Sandra Nathan, Executive Director, Department of Aging and Adult Services, Larry Pickard, Adult Protective Services; Roger Langford, Advisory Council for the Commission on Aging, Jim Methis, Joe LaTorre, Mayor's Office

RECOMMENDED by the following vote:

Ayes. 3 - Hall, Gonzalez, Sandoval

020020 [Bond Truth Act]

Supervisor Yee

Ordinance amending Chapter 10 of the Administrative Code by adding Article IX thereto; requiring any ballot measure submitted to the voters to include certain information; requiring public access to financing proposals for capital projects; requiring the commitment of additional funds for projects financed in part with bond proceeds; limiting the transferability of bond authority for other projects; authorizing the expiration of bond authority; requiring the Controller to enforce this Article; and all other matters related thereto.

1/7/02, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/6/2002.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

3/19/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Leland Yee; Monique Moyer, Mayor's Office; Ken Bruce, Budget Analyst's Office; Ed Harrington, Controller; Michael Alexander, SPUR; Eileen Moller; Nancy Worfel; Doug Comstock; Bud Wilson; Ted Lakey, Deputy City Attorney.

Amendment of the whole bearing the same title.

3/19/02, CONTINUED AS AMENDED. Continued to April 3, 2002.

Heard in Committee. Speakers: Supervisor Leland Yee; Ed Harrington, Controller; John Kennedy, Deputy City Attorney; Nancy Wuelfal; Bill Barum; Joe LaTorre, Mayor's Office; Jim Mathis, San Francisco Chamber of Commerce; Monique Moyer, Director, Mayor's Office of Public Finance.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

012088 [Appointment]

Motion appointing Michael Garcia, term to be determined, to the Ethics Commission.

Michael Garcia, new position, seat 1, must be a representative of the general public, term to be determined. (Supervisor Sandoval dissenting in Committee.)

11/16/01, RECEIVED AND ASSIGNED to Rules Committee.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

2/20/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Michael Mooney.

3/5/02, PREPARED IN COMMITTEE AS A RESOLUTION. Heard in Committee. Speakers: Michael Mooney; Michael Garcia; Alexandra Nickliss; Ted Lakey, Deputy City Attorney.

Appointment of Michael Garcia, seat 1, recommended.

3/5/02, RECOMMENDED...

3/11/02, CONTINUED. Supervisor Leno, seconded by Supervisor Hall moved to continue to March 18, 2002.

3/18/02, SUBSTITUTED to Rules and Audits Committee. Resolution substituted with motion based upon the advise of the City Attorney's Office.

3/18/02, RE-REFERRED to Rules and Audits Committee.

Heard in Committee. Speakers: Michael Garcia; Helynna Brooke.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020518 [Appointment]

Hearing to consider appointing one member to the Ethics Commission.

1 Seat Being Considered:
Vacant seat, new position, seat 1, must be a representative of the general public, term to be determined.
3/22/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Barbara Wood; Helynna Brooke.

FILED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020114 [Requiring Early Voting in Each Supervisorial District]

Supervisor Gonzalez

Ordinance amending the Municipal Elections Code to require the Department of Elections to establish at least three satellite locations in each Supervisorial district for early voting during the ten calendar days immediately preceding any election held in the City and County of San Francisco.

(Fiscal impact.)
1/22/02, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/21/2002.
1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.
2/14/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 2/21/2002.
3/19/02, CONTINUED. Heard in Committee. Speakers: Ken Bruce, Budget Analyst's Office

Continued to April 3, 2002.

Continued to May 7, 2002.

CONTINUED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020298 [Grant Applications]

Supervisors Gonzalez, Sandoval

Ordinance amending San Francisco Administrative Code Section 10.170 to provide that all applications submitted by the City for federal, State, or other grants requesting funding for fifty thousand dollars or more for any project or program shall be subject to approval by the Board of Supervisors by resolution.
2/19/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 3/21/2002

Heard in Committee. Speakers: none.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020431 [Implementation of Prop A]

Supervisor Gonzalez

Hearing on the implementation of the voter approved Proposition A, a charter amendment institution Instant Run-off Voting for San Francisco Municipal Elections.
3/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee. Speakers: Steven Hill; Tammy Haygood, Director, Department of Elections; Tom Schulz, Election Commission, Elaine Nueze, Charles Caliss, Connie Ford, Local 3, Betty Trainer, Barry Hermanson; Dave Kabelceck, Robert Newal, David Heller, Paul Plaid, Bradley Wiedmaier

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020347 **[Campaign and Government Conduct Code]**

Supervisors Peskin, Gonzalez

Ordinance amending Article I, Chapter 1 of the Campaign and Governmental Conduct Code by amending sections 1.100 and 1.104 and adding section 1.119 to define net debt outstanding; prohibit fundraising by candidates after an election in amounts greater than the net debt outstanding on the date of the election; and require that candidates file a statement with the Ethics Commission disclosing the net debt outstanding on the date of an election.

2/25/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 3/27/2002.

Heard in Committee. Speakers: Wade Crowfoot, aide to Supervisor Aaron Peskin; John Kennedy, Deputy City Attorney.

Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Continued to April 16, 2002.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

ADJOURNMENT

The meeting adjourned at 5:22 p.m.

City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Tuesday, April 16, 2002 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

MEETING CONVENED

The meeting convened at 2:40 p.m.

020347 **[Campaign and Governmental Conduct Code]**
Supervisors Peskin, Gonzalez
Ordinance amending Article I, Chapter 1 of the Campaign and Governmental Conduct Code by amending sections 1.100 and 1.104 and adding section 1.119 to define net debt outstanding; prohibit fundraising by candidates after an election in amounts greater than the net debt outstanding on the date of the election; and require that candidates file a statement with the Ethics Commission disclosing the net debt outstanding on the date of an election.

2/25/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 3/27/2002.
4/3/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Wade Crowfoot, aide to Supervisor Aaron Peskin; John Kennedy, Deputy City Attorney.

Amendment of the whole bearing the same title.
4/3/02, CONTINUED AS AMENDED. Continued to April 16, 2002

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020484 **[Appointment]**
Hearing to consider appointing two members to the United Nations Plaza Working Group.

2 Seats Being Considered:
Vacant seat, new position, seat 1, must be a member of the United Nations Association, term to be determined;
Vacant seat, new position, seat 4, must be a vendor at the Farmer's Market held in the United Nations Plaza, term to be determined.

3/19/02, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 020337.
3/20/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speaker: Nancy Peterson.

Seat 4, continued to the call of the chair. See file 020628.
DIVIDED.

Hearing to consider appointing one member to the United Nations Plaza Working Group.

1 Seat Being Considered:
Vacant seat, new position, seat 1, must be a member of the United Nations Association, term to be determined.

Appointment of Nancy Peterson, Seat 1, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Nancy Peterson, term to be determined, to the United Nations Plaza Working Group, residency requirement waived.

Nancy Peterson (residency requirement waived), new position, seat 1, must be a member of the United Nations Association, term to be determined.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020628 **[Appointment]**
Hearing to consider appointing one member to the United Nations Plaza Working Group.

1 Seat Being Considered:
Vacant seat, new position, seat 4, must be a vendor at the Farmer's market held in the United Nations Plaza, term to be determined.

Divided from File 020484.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020524 **[Appointment - Public Utilities Commission]**
Motion approving the Mayor's appointment of Frank Cook to the Public Utilities Commission, for the term ending January 15, 2004. (Mayor)

(Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.)
(Transmittal date - March 28, 2002.)
4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee. Speaker: Art Jensen, Bay Area Water Users Association; Ted Lakey, Deputy City Attorney, City Attorney's Office.

TABLED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020525 **[Appointment - Public Utilities Commission]**
Motion rejecting the Mayor's appointment of Frank Cook to the Public Utilities Commission. (Mayor)

(Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.)
(Transmittal date - March 28, 2002.)

(Supervisor Hall dissenting in Committee.)
4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Espanola Jackson; Male Speaker; Frederick Hobson; Ted Lakey, Deputy City Attorney, City Attorney's Office.

RECOMMENDED by the following vote:
Ayes: 2 - Gonzalez, Sandoval
Noes: 1 - Hall

020526 **[Appointment - Public Utilities Commission]**
Motion taking no position concerning the Mayor's appointment of Frank Cook to the Public Utilities Commission, for term ending January 15, 2004. (Mayor)

(Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.)
(Transmittal date - March 28, 2002.)
4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney, City Attorney's Office.

NOT RECOMMENDED by the following vote:
Ayes: 1 - Hall
Noes: 2 - Gonzalez, Sandoval

020527 **[Appointment - Public Utilities Commission]**
Motion approving the Mayor's appointment of E. Dennis Normandy to the Public Utilities Commission, for the term ending January 15, 2006. (Mayor)

(Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.)
(Transmittal date - March 28, 2002.)
4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee. Speakers: Ismael G. Pageda, Filipino Architects Contractors and Engineers, Arthur Jensen, Bay Area Water Users Association; Andrew Sun, San Francisco resident; John Plummer, Friends of Lake Merced; Dick Allen, Lake Merced Task Force; Dick Morten; Ted Lakey, Deputy City Attorney, City Attorney's Office.

REFERRED WITHOUT RECOMMENDATION by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020528 **[Appointment - Public Utilities Commission]**

Motion rejecting the Mayor's appointment of E. Dennis Normandy to the Public Utilities Commission. (Mayor)

(Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.)
(Transmittal date - March 28, 2002.)

4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speaker: Ted Lakey, Deputy City Attorney, City Attorney's Office.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020529 **[Appointment - Public Utilities Commission]**

Motion taking no position concerning the Mayor's appointment of E. Dennis Normandy to the Public Utilities Commission, for term ending January 15, 2006.

(Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.)
(Transmittal date - March 28, 2002.)

4/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speaker: Ted Lakey, Deputy City Attorney, City Attorney's Office.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020580 **[Appointment]**

Hearing to consider appointing four members to the San Francisco Health Authority.

4 Seats Being Considered:
Vacant seat, succeeding Sophie Wong, term expired, seat 6, must be a nominee of SF Community Clinic Consortium, for a three-year term ending January 15, 2004;
Vacant seat, succeeding Maria Luz Torres, term expired, seat 10, must be a nominee of Health Authority Beneficiary Advisory Committee, for a three-year term ending January 15, 2004;
Vacant seat, succeeding Steve Fields, term expired, seat 12, must be nominee of Health Authority Program Advisory Committee, for a three-year term ending January 15, 2003;
Vacant seat, succeeding Kate O'Malley, term expired, seat 13, must be nominee of Health Authority Program Advisory Committee, for a three-year term ending January 15, 2004.

4/8/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney, City Attorney's Office; Jean Fraser, San Francisco Health Authority; Maria Luz Torre, applicant; Kate O'Malley, applicant; Steve Fields, applicant; Stephanie Hughes; Male Speaker.
Appointment of Sophie Wong, seat 6, Maria Luz Torre, seat 10, Steve Fields, seat 12, and Kate O'Malley, seat 13, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing, Steve Fields, term ending January 15, 2003, and Sophie Wong, Maria Luz Torre, and Kate O'Malley, terms ending January 15, 2004, to the San Francisco Health Authority, residency requirement waived.

Sophie Wong (residency requirement waived), succeeding herself, term expired, seat 6, must be a nominee of SF Community Clinic Consortium, for a three-year term ending January 15, 2004;
Maria Luz Torre, succeeding herself, term expired, seat 10, must be a nominee of Health Authority Beneficiary Advisory Committee, for a three-year term ending January 15, 2004;
Steve Fields (residency requirement waived), succeeding himself, term expired, seat 12, must be nominee of Health Authority Program Advisory Committee, for a three-year term ending January 15, 2003;
Kate O'Malley (residency requirement waived), succeeding herself, term expired, seat 13, must be nominee of Health Authority Program Advisory Committee, for a three-year term ending January 15, 2004.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020336 **[Appointment]**
Hearing to consider appointing four members to the Drug Abuse Advisory Board.

4 Seats Being Considered:
Vacant seat, succeeding Gennie Nunley-Thompson, resigned, seat 2, must represent law enforcement, for the unexpired portion of a three-year term ending October 1, 2002;
Vacant seat, succeeding Matonia Williams, seat 6, must represent the public at large or a service provider, for the unexpired portion of a three-year term ending October 1, 2002;
Vacant seat, succeeding Victoria Hunt, seat 7, must represent the public at large or a service provider, for the unexpired portion of a three-year term ending October 1, 2002;
Vacant seat, succeeding Walter Joseph Kennedy, seat 15, must represent the public at large, for the unexpired portion of a three-year term ending October 1, 2003.

2/20/02, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 011720.
2/21/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Dina Santana, Applicant; Ms. Mathis, Administrator for the Drug Advisory Board; Eric Carmichael, applicant; Kevin Sharps, applicant; Stephanie Hughes, applicant; Frederick Hobson, former Board member.

Seat 7 divided and continued to the call of the chair. See File 020629.
DIVIDED.

Hearing to consider appointing three members to the Drug Abuse Advisory Board.

3 Seats Being Considered:
Vacant seat, succeeding Gennie Nunley-Thompson, resigned, seat 2, must represent law enforcement, for the unexpired portion of a three-year term ending October 1, 2002;
Vacant seat, succeeding Matonia Williams, seat 6, must represent the public at large or a service provider, for the unexpired portion of a three-year term ending October 1, 2002;
Vacant seat, succeeding Walter Joseph Kennedy, seat 15, must represent the public at large, for the unexpired portion of a three-year term ending October 1, 2003.

Appointment of Dina Santana, seat 2, Kevin Sharps, seat 6, and Stephanie Hughes, seat 15, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Stephanie Hughes, term ending October 1, 2003, and Dina Santana and Kevin Sharps, terms ending October 1, 2002, to the Drug Abuse Advisory Board.

Dina Santana, succeeding Gennie Nunley-Thompson, resigned, seat 2, must represent law enforcement, for the unexpired portion of a three-year term ending October 1, 2002;
Kevin Sharps, succeeding Matonia Williams, seat 6, must represent the public at large or a service provider, for the unexpired portion of a three-year term ending October 1, 2002;
Stephanie Hughes, succeeding Walter Joseph Kennedy, seat 15, must represent the public at large, for the unexpired portion of a three-year term ending October 1, 2003.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020629 **[Appointment]**
Hearing to consider appointing one member to the Drug Abuse Advisory Board

1 Seat Being Considered:
Vacant Seat succeeding Victoria Hunt, seat 7, must represent the public at large or a service provider, for the unexpired portion of a three year term ending October 1, 2002.

Divided from File No. 020336.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020579 **[Appointment]**
Hearing to consider three appointments to the Animal Control and Welfare Commission.

3 Seats Being Considered:
Vacant Seat, succeeding Catherine Tchen-Kenna, seat 1, term expired, must be a public-at-large appointment, for a new two-year term ending April 30, 2004;
Vacant Seat, succeeding Frederick Hobson, seat 2, term expired, must be a public-at-large appointment, for a new two-year term ending April 30, 2004;
Vacant Seat, succeeding Kelly Jensen, seat 7, term expired, must be licensed veterinarian, for a new two-year term ending April 30, 2004.
4/8/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Mark Bruno, Telegraph Hill Dwellers; Richard Schulke; Ted Lakey, Deputy City Attorney; Veronica Boutelle, SFSPCA; Ron Thomas; Rikke Jorgensen, SFSPCA; Robert S. Harris, SPCA, Bud Wilson, Greater West Portal Neighborhood Association; Male Speaker; Frederick Hobson, June Wilson; Randy Allgaier, applicant; Laurie Kennedy, applicant; Bruce Engle, applicant; Jamal James Modica, applicant; Robert Harris, applicant; Kelly Jensen, applicant; Gina Eichler, applicant.

Appointment of Laurie Kennedy, seat 1; Jamal James Modica, seat 2; and Kelly Jensen, seat 7, recommended **PREPARED IN COMMITTEE AS A RESOLUTION.**

Resolution appointing Laurie Kennedy, Jamal James Modica, and Kelly Jensen, terms ending April 30, 2004, to the Animal Control and Welfare Commission.

3 Seats Being Considered:
Laurie Kennedy, succeeding Catherine Tchen-Kenna, seat 1, term expired, must be a public-at-large appointment, for a new two-year term ending April 30, 2004;
Jamal James Modica, succeeding Frederick Hobson, seat 2, term expired, must be a public-at-large appointment, for a new two-year term ending April 30, 2004;
Kelly Jensen, succeeding Kelly Jensen, seat 7, term expired, must be licensed veterinarian, for a new two-year term ending April 30, 2004.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

011395 [Appointment]
Hearing to consider appointing nine members to the Sunshine Ordinance Task Force.

9 Seat Being Considered:
Vacant Seat, succeeding Joshua Koltun, term expired, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an Attorney, for a new 2-year term ending April 27, 2004;
Vacant Seat, succeeding Bruce Brugmann, term expired, seat 2, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a Journalist, for a new 2-year term ending April 27, 2004;
Vacant Seat, succeeding Vince Courtney, term expired, seat 3, must be a member of the press or electronic media with an interest in citizen access, for a new 2-year term ending April 27, 2004;
Vacant Seat, succeeding Heather Sterner, term expired, seat 5, must be appointed from names submitted by the League of Women Voters, for a new 2-year term ending April 27, 2004;
Vacant Seat, succeeding Hilda Bernstein, term expired, seat 6, must be experienced in Consumer Advocacy, for a new 2-year term ending April 27, 2004;
Vacant Seat, succeeding Ted Kowalczuk, term expired, seat 7, must be experienced in Consumer Advocacy, for a new 2-year term ending April 27, 2004;
Vacant Seat, succeeding Robert Planthold, resigned, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government (Previously fulfilled requirement that one member must be physically handicapped), for a new 2-year term ending April 27, 2004;
Vacant Seat, succeeding Daniel Guillory, term expired, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a new 2-year term ending April 27, 2004;
Vacant Seat, succeeding Paul Hogan, term expired, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a new 2-year term ending April 27, 2004.

7/23/01, RECEIVED AND ASSIGNED to Rules Committee
1/28/02, TRANSFERRED to Rules and Audits Committee Transferred pursuant to new committee structure

Heard in Committee. Speakers: Donna Hall, Sunshine Ordinance Task Force Administrator; Joshua Koltun, applicant; Bruce Brugmann, applicant, Sue Cauthen, applicant; Gilbert Criswell, applicant, Heather Sterner, applicant; Doug Comstock, applicant; Garrett Jenkins, applicant, Edgar Parker, applicant; Richard Knee, applicant, Alexandra Nickliss; Michael Molte, San Francisco resident.

Appointment of Joshua Koltun, seat 1; Bruce Brugmann, seat 2, Richard Knee, seat 3; Heather Sterner, seat 5; Doug Comstock, seat 6; Sue Cauthen, seat 7; Garrett Jenkins, seat 8, Edgar Parker, seat 9; and Alexandra Nickliss, seat 10, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Joshua Koltun, Bruce Brugmann, Richard Knee, Heather Sterner, Doug Comstock, Sue Cauthen, Garrett Jenkins, Edgar Parker, and Alexandra Nickliss, terms ending April 27, 2004, to the Sunshine Ordinance Task Force.

Joshua Koltun, succeeding himself, term expired, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an Attorney, for a new 2-year term ending April 27, 2004;
Bruce Brugmann, succeeding herself, term expired, seat 2, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a Journalist, for a new 2-year term ending April 27, 2004;
Richard Knee, succeeding Vince Courtney, term expired, seat 3, must be a member of the press or electronic media with an interest in citizen access, for a new 2-year term ending April 27, 2004;
Heather Sterner, succeeding Heather Sterner, term expired, seat 5, must be appointed from names submitted by the League of Women Voters, for a new 2-year term ending April 27, 2004;
Doug Comstock, succeeding Hilda Bernstein, term expired, seat 6, must be experienced in Consumer Advocacy, for a new 2-year term ending April 27, 2004;
Sue Cauthen, succeeding Ted Kowalczuk, term expired, seat 7, must be experienced in Consumer Advocacy, for a new 2-year term ending April 27, 2004;
Garrett Jenkins, succeeding Robert Planthold, resigned, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government (Fulfilled requirement that one member must be physically handicapped), for a new 2-year term ending April 27, 2004;
Edgar Parker, succeeding Daniel Guillory, term expired, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a new 2-year term ending April 27, 2004;
Alexandra Nickliss, succeeding Paul Hogan, term expired, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a new 2-year term ending April 27, 2004.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020406 **[Settlement of Lawsuits and Claims]**

Mayor

Ordinance approving a settlement between the International Federation of Professional and Technical Engineers, Local 21, the Municipal Executives' Association, and the City and County of San Francisco of litigation and administrative claims concerning the assignment of classifications to bargaining units and related disputes. (Mayor)

3/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Geoffrey Rothman, Employee Relations Director, Department of Human Resources; Ted Lakey, Deputy City Attorney, City Attorney's Office; John Holtzman, Mayor's Office; Phillip Ginsburg, Deputy City Attorney, City Attorney's Office; David Novogrodsky, Federation of Professional and Technical Engineers, Local 21; Andrea Gourdine, Director, Department of Human Resources

RECOMMENDED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

LITIGATION

020474 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Homes Not Jails, Robert Haaland, Ted Gullicksen, Mara Raider, Cathleen Gray, David Acquino, Allison Lum and Miguel Wooding against the City and County of San Francisco, Sergeant Frederick Schiff and Captain John Newlin for $22,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Homes Not Jails, et al., v. City and County of San Francisco, et al; the City and County of San Francisco, Sergeant Frederick Schiff and Captain John Newlin joined in the removal of this case to the United States District Court on September 14, 1999, Case No. C99-4204 TEH; other material terms of said settlement are that the $22,500 is the total to plaintiffs plus reasonable attorneys fees to be determined by the Court, but not less than $35,000 and not more than $100,000. (City Attorney)

4/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Carl Bunch, Deputy City Attorney, San Francisco Airport.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020478 **[Settlement of Lawsuit]**

Ordinance approving settlement of the lawsuit filed by Aeroground, Inc. against City and County of San Francisco, et al., by payment by City and County of San Francisco to Aeroground, Inc. in the amount of $400,000 and other terms; the lawsuit was filed on August 25, 2001, in the United States District Court, Case No. C 01-1628VRW, entitled Aeroground, Inc., vs. City and County of San Francisco; San Francisco Airport Commission; and John L. Martin, in his official capacity as Director of the San Francisco International Airport. (Airport Commission)

4/3/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speaker: Ted Lakey, Deputy City Attorney, City Attorney's Office.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

ADJOURNMENT

The meeting adjourned at 8:53 p.m.

[All Committees]
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City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

94102-4689

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Tuesday, May 07, 2002 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

MEETING CONVENED.

The meeting convened at 1:33 p.m.

020630 **[Appointment]**

Motion appointing one person to the Ethics Commission, term to be determined, to be chosen from the following applicants: Victor M. Hwang, Josh Kauffman, Barbara Wood, or Michael Garcia.

4/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Victor M. Hwang, applicant; Supervisor McGoldrick; Helenya Brook for Barbara Wood, applicant; Ted Lakey, Deputy City Attorney, City Attorney's Office; Michael Garcia, applicant; Male Speaker, Attorney, Asian Law Caucus; Ginny Vida, Director, Ethics Commission.

The Committee recommends the Board appoint Michael Garcia, Seat 1.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

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020671 **[Appointment]**

Hearing to consider appointing 5 members to the Treasury Oversight Committee.

5 Seats Being Considered.
Vacant Seat, succeeding Dr. Philip R. Day, Jr., term expired, seat 1, must be the Chancellor of the Community College District or his/her designee, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Edward Harrington, term expired, seat 2, must be the County Controller, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Enrique Navas, term expired, seat 3, must be the County Superintendent of Schools or his/her designee, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Leo Fermin, term expired, seat 4, must represent the public at large, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Richard Sullivan, term expired, seat 5, must represent the public at large, for the unexpired portion of a four year term expiring June 5, 2005.
4/22/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney, City Attorney's Office; Male Speaker; Richard Sullivan, applicant; Leo Fermin, applicant; Sarah Hart, applicant.

Continued to May 21, 2002.
CONTINUED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020701 **[Amending Rule 6.15 of the Rules of Order, Supervisors Appointment to Second Outside Board or Commission]**

Supervisor Gonzalez

Motion amending Rule 6.15 of the Rules of Order of the Board of Supervisors to provide that before a Supervisor may be appointed to a second outside Board or Commission (excluding the San Francisco LAFCO and the Transportation Authority) every other Supervisor shall have been given the opportunity to serve on at least one outside Board or Commission.
4/29/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Supervisor Yee; Gloria L. Young, Clerk of the Board; Ted Lakey, Deputy City Attorney, City Attorney's Office.
RECOMMENDED by the following vote:
Ayes: 2 - Hall, Gonzalez
Noes: 1 - Sandoval

020626 **[Appointment]**

Motion appointing Supervisor Leland Yee, term ending February 1, 2005 to the Bay Area Air Quality Management District Board of Directors.

Supervisor Leland Yee, succeeding Supervisor Tony Hall, Seat No. 1, must be a member of the San Francisco Board of Supervisors, for the unexpired portion of a four-year term ending February 1, 2005.
5/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Supervisor Yee; Gloria L. Young, Clerk of the Board; Ted Lakey, Deputy City Attorney, City Attorney's Office.
CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020024 **[SFUSD Compliance with the Sunshine Ordinance]**

Supervisor Yee

Resolution urging that the San Francisco Board of Education require the San Francisco Unified School District, its officers and employees, including the Board of Education members to abide by the provisions of the San Francisco Sunshine Ordinance, Chapter 67 of the San Francisco Administrative Code.

1/7/02, RECEIVED AND ASSIGNED to Rules Committee.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

Heard in Committee. Speakers: Supervisor Yee; Bob Planthold, former Sunshine Ordinance Task Force Member; Donna Hall, Sunshine Ordinance Task Force Administrator on behalf of Hilda Bernstein, Outgoing Chair; Richard Knee; Jesse Arreguin, Government Affairs Officer, San Francisco Youth Commission.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020114 **[Requiring Early Voting in Each Supervisorial District]**

Supervisor Gonzalez

Ordinance amending the Municipal Elections Code to require the Department of Elections to establish at least three satellite locations in each Supervisorial district for early voting during the ten calendar days immediately preceding any election held in the City and County of San Francisco.

(Fiscal impact.)

1/22/02, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/21/2002.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

2/14/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 2/21/2002.

3/19/02, CONTINUED. Heard in Committee. Speakers: Ken Bruce, Budget Analyst's Office.

Continued to April 3, 2002.

4/3/02, CONTINUED. Continued to May 7, 2002.

Heard in Committee. Speakers: Bob Planthold; Joe Protensky.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020412 **[City to Pay for Postage of Absentee Ballots]**

Supervisors Daly, Sandoval

Ordinance amending the Municipal Elections Code to require that San Francisco pay for postage of absentee ballots cast by San Francisco voters.

(Fiscal impact.)

3/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Supervisor Daly; Ken Bruce, Budget Analyst's Office; Male Speaker; Anthony G. Sacco, FORUM, New Mission Terrace; Rick Galbreth, volunteer, Supervisor Daly's Office.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020173 **[Personnel for City Department Public Relations Purposes]**

Supervisor McGoldrick

Hearing on the use of city personnel and/or consultants by City departments for public relations purposes.

1/28/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Supervisor McGoldrick; Ken Bruce, Budget Analyst's Office; Michael Bornstein, Sierra Club; Richard Zimmerman, Sierra Club; Eric Saddik, San Francisco Resident on behalf of himself and Michele Moss, Bay Vote Yes Coalition.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020361 **[Public Relations Personnel]**

Supervisor McGoldrick

Hearing on the thoroughness and veracity of responses of City departments to an inquiry letter from the Clerk of the Board asking for information on Public Relations personnel, however classified or designated, who are employed through those City departments.

2/25/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Supervisor McGoldrick; Ken Bruce, Budget Analyst's Office;

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

ADJOURNMENT

The meeting adjourned at 5:28 p.m.

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1/7/02

[Budget Analyst Report]
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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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May 2, 2002

TO: Rules and Audits Committee

FROM: Budget Analyst

SUBJECT: May 7, 2002 Rules and Audits Committee Meeting

Item 6 – File 02-0114

Note: This item was continued by the Rules and Audits Committee at its meeting of April 2, 2002.

Department: Department of Elections (DOE)

Item: Ordinance amending the San Francisco Elections Code by adding Section 130 to require the Department of Elections to establish at least three satellite voting locations in each of the 11 Supervisorial districts for early voting for voters using absentee ballots during the ten calendar days immediately preceding any election held in the City and County of San Francisco.

Description: The proposed ordinance amending the San Francisco Municipal Elections Code by adding Section 130 would:

- Require DOE to establish at least three satellite voting locations in each of the 11 Supervisorial districts, or at least 33 satellite voting locations, for early voting for voters using absentee ballots for ten calendar days prior to any election held in San Francisco.

- Require that the Department of Elections' office at City Hall serve as one of the three satellite voting locations for the Supervisorial district in which the Department is located.
- Require each satellite voting location to operate from at least 8:00 AM to 5:00 PM on weekdays and 10:00 AM to 5:00 PM on weekend days.
- Require those satellite voting locations to have the same hours of operation as the polling places on election day.
- Permit the Elections Commission to approve the location of the satellite voting site and the hours of operation for those satellite voting locations, without subsequent Board of Supervisors approval.

Comments:

1. According to Ms. Julia Moll of the City Attorney's office, currently the Department of Elections' Office at City Hall serves as a satellite voting location for absentee voters who want to vote prior to an election. Ms. Debra Brown of the Department of Elections reports that the hours of operation for the Department's satellite voting location at City Hall are Monday through Friday from 8:00 AM to 5:00 PM and 10:00 AM to 4:00 PM on Saturday and Sunday, beginning 29 days prior to an election. Additionally, Ms. Brown states that City Hall satellite office must have the same hours of operation on election day, which is currently from 7:00 AM to 8:00 PM. Ms. Brown states that the three temporary staff who operated the City Hall satellite office during the March of 2002 election were paid on average $14.75 per hour. In addition, these three temporary staff were paid overtime on average at time and one-half ($22.13 per hour) when the staff worked at the City Hall satellite office on Saturdays and Sundays. Ms. Brown estimates that the salary costs alone, including fringe benefits, to operate the City Hall satellite office was approximately $12,620 for the March 2002 election.

2. According to Ms. Brown, the pool of absentee voters consists of registered voters who request absentee ballots at least seven days before an election and permanent absentee voters. Ms. Brown advises that prior to January of 2002, State law only permitted disabled persons and permanent caregivers of disabled persons to register as permanent absentee voters. However, as of January of 2002, State law allows all registered voters to apply to become permanent

absentee voters. Ms. Brown states that there are currently approximately 43,996 permanent absentee voters, or approximately ten percent of the 442,000 registered voters in San Francisco, but notes that the Department is currently processing approximately another 3,000 applications for permanent absentee voter status and is receiving more of such applications each day. Ms. Brown states that given the new State law allowing any registered voter to apply for permanent absentee voter status, the number of absentee voters is likely to increase over time.

3. Ms. Brown advises that the number of absentee voters can vary from election to election depending on how many voters request an absentee ballot for a given election and how many registered voters have permanent absentee voter status. According to Ms. Brown, the Department receives, on average, approximately 65,000 requests for absentee voter ballots per election, however Ms. Brown notes that the number of ballots requested can vary significantly. According to Ms. Brown, in the March of 2002 election, of the 69,983 absentee ballots requested by San Francisco voters, 29,847 absentee ballots were mailed into the Department, 22,153 absentee ballots were dropped off at polling locations by the voters, 3,031 absentee voters cast their ballots at the early voting satellite site in City Hall and the remaining 14,952 absentee ballots were not returned to the Department. Ms. Brown reports that in the November of 2001 election, of the 47,809 absentee voter ballots requested by San Francisco voters, 23,886 absentee ballots were mailed into the Department, 13,885 absentee ballots were dropped off at polling locations by the voters, 2,969 absentee voters cast their ballots at the early voting satellite site, located in City Hall and the remaining 7,069 absentee ballots were not returned to the Department. Ms. Brown notes that in the November of 2000 Presidential election 82,797 absentee voter ballots were requested and 10,000 absentee ballots were cast at the Department's City Hall satellite location.

Therefore, the average number of absentee voters who voted at the Department's early voting satellite office located in City Hall for these two recent elections was 5,333 (2,969 + 3,031+ 10,000/3).

4. The Budget Analyst notes that although the proposed ordinance is likely to have significant fiscal impact on the Department of Elections, as of the writing of this report, the Department of Elections has not provided an estimate of the costs of the proposed ordinance, nor has the Department indicated if the Department would be able to implement the proposed ordinance before the next scheduled election in November of 2002.

5. Ms. Brown advises that there must be at least two temporary staff with the absentee ballots at all times. Therefore, assuming two temporary staff would be needed for each of the 32 new satellite locations (33 total satellite locations as required by the proposed ordinance less the existing satellite office at City Hall) the Budget Analyst estimates that the Department would need 64 additional temporary staff to operate the 32 additional satellite offices for the ten calendar days prior to the election as well as on election day. Ten calendar days prior to an election includes four weekend days and six week days. As required by the proposed ordinance, the total hours of operation on the weekend days would be seven hours and the total hours of operation on week days would be eight hours. As noted above, on the weekend, staff members are paid over time at time and one-half. Assuming an average rate of pay of $14.75 per hour per employee for week days plus mandatory fringe benefits of an average 15 percent for temporary staff and $22.13 per hour per employee for weekend days plus mandatory fringe benefits of 7.5 percent for temporary staff, the additional personnel costs would be approximately $103,415 per election, (64 employees x $16.96/hr x 8 hours/day x 7 days, including election day + 64 employees x 23.78/hr x 7 hours/day x 4 weekend days), including mandatory fringe benefit costs. The Budget Analyst notes that this cost estimate of the proposed ordinance does not include rental costs for the satellite locations if City-owned facilities are not available, the costs for the Sheriff's Office to guard the absentee ballots as required by Proposition E, transportation costs for transporting the ballots from the satellite locations to the Department of Elections, or other costs that may be incurred to implement the proposed ordinance, which could be significant. Therefore, the actual costs of the proposed ordinance would be higher than the

Budget Analyst's estimate of $103,415 for personnel expenses per election.

6. Given that (a) the estimated costs of implementing the proposed ordinance, would be at least $103,415 per election; (b) the Department's on-going inability to operate within their existing approved budget which would make it highly unlikely that the Department would be able to operate at least 32 additional satellite offices per election within their existing budget; (c) the City's latest projected General Fund $101 million shortfall for FY 2002-2003; (d) the Department does not currently have a permanent Director and (e) the uncertainty of when the Department would be able to implement the proposed ordinance, the Budget Analyst considers approval of the proposed ordinance to be a policy matter for the Board of Supervisors.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Memo to Rules and Audit Committee
May 7, 2002 Rules and Audit Committee Meeting

Item 7 – File 02-0412

Department: Department of Elections (DOE)

Item: Ordinance amending the Elections Code by adding Section 410 to require that the Department of Elections pay for the postage of absentee ballots mailed by registered voters to the Department of Elections.

Description: The proposed ordinance would amend the Elections Code by adding Section 410, which would:

(a) Require the DOE to provide postage paid envelopes addressed to the Department of Elections for each absentee voter.
(b) Authorize the Director of the DOE to enter into any contracts with the United States Postal Service that are necessary to implement the subject proposed ordinance for postage paid envelopes.

Ms. Debra Brown of the DOE advises that the DOE provides each absentee voter in San Francisco with a return envelope for his or her absentee ballot, however, the DOE does not currently provide postage paid envelopes for absentee ballots.

Comments: 1. According to Ms. Brown, the pool of absentee voters consists of registered voters who request absentee ballots at least seven days before an election and permanent absentee voters. Ms. Brown advises that prior to January of 2002, State law only permitted disabled persons and permanent caregivers of disabled persons to register as permanent absentee voters. However, as of January 2002, State law allows all registered voters to apply to become permanent absentee voters. Ms. Brown states that there are currently approximately 43,996 permanent absentee voters, or approximately 10 percent of the 442,000 registered voters in San Francisco, but notes that the Department is currently processing approximately an additional 3,000 applications for permanent absentee voter status and is receiving more of these applications on a continual basis. Ms. Brown states that given the new State law allowing any registered voter to apply for permanent absentee voter status, the number of absentee voters is likely to increase over time.

3. Ms. Brown advises that the number of absentee voters can vary from election to election depending on how many voters request an absentee ballot for a given election and how many registered voters have permanent absentee voter status. According to Ms. Brown, the Department receives, on average, approximately 65,000 requests for absentee voter ballots per election. However Ms. Brown notes that the number of ballots requested can vary significantly for each election. According to Ms. Brown, in the March of 2002 election, of the 69,983 absentee ballots requested by voters, 29,847 absentee ballots were mailed to the Department, 22,153 absentee ballots were dropped off at polling locations, 3,031 absentee voters cast their ballots at the early voting satellite site in City Hall and the remaining 14,952 absentee ballots were not returned to the Department. Ms. Brown reports that in the November of 2001 election, of the 47,809 absentee voter ballots requested by voters, 23,886 absentee ballots were mailed to the Department, 13,885 absentee ballots were dropped off at polling locations, 2,969 absentee voters cast their ballots at the early voting satellite site, located in City Hall and the remaining 7,069 absentee ballots were not returned to the Department. Ms. Brown notes that in the November 2000 Presidential election, 82,797 absentee voter ballots were requested and 10,000 absentee ballots were cast at the Department's City Hall satellite location.

Therefore, the average number of absentee voters who voted at the Department's early voting satellite office located in City Hall for the three elections noted above was 5,333 (2,969 + 3,031+ 10,000/3).

3. According to Mr. Ara Minasian of the Department of Administrative Services, the cost of paying the postage on the absentee ballots would vary from election to election based on (a) the number of absentee voters (b) the size and weight of the absentee ballots, and, (c) the cost of postage.

4. Ms. Diane Warren of the U.S. Post Office advises that if an absentee voter does not use the business reply postage paid envelope, the Department would not be charged for the costs of the postage paid envelope. Ms. Warren advises that if a postage paid envelope is used, the Department would be charged for the cost of postage plus a handling fee, which could range from $0.02 to $0.44 per envelope depending on

the type of service agreement the Department would have with the U.S. Post Office to process such envelopes.

5. Ms. Brown reports that the average postage paid by absentee voters in the March of 2002 election, which consisted of a three-page ballot, was $1.03 per envelope. Assuming (a) all of the currently established 43,996 permanent absentee voters used the postage paid envelopes, (b) each envelope cost $1.03, and (c) the U.S. Post Office handling fee was $0.02 per envelope, then it would cost the City an estimated $46,196 for postage and handling for a three-page ballot per election ($1.05 x 43,996) or $92,392 if two elections were held in one year. However, if the U.S. Post Office handling fee were $0.44 per envelope, the cost for a three-page ballot would be $64,674 per election ($1.47 x 43,996) or $129,348 if two elections were held in one year.

6. The Budget Analyst notes, however, the actual cost of implementing the proposed ordinance, per election, could be higher or lower than the estimates of between $46,196 and $64,674 per election noted in Comment No. 5 above because it is uncertain (a) how many voters would request absentee voter ballots, (b) how many absentee voters would use the postage paid envelopes, (c) the actual size and weight of the envelope, (d) the postage cost per envelope, and (e) the U.S. Post Office per envelope handling fee.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Memo to Rules and Audit Committee
May 7, 2002 Rules and Audit Committee Meeting

Items 8 and 9 – Files 02-0173 and 02-0361

Items: Hearing to consider the use of City personnel and/or consultants by City departments for public relations purposes (File 02-0173).

Hearing to consider the thoroughness and veracity of responses of City departments to an inquiry letter from the Clerk of the Board asking for information on Public Relations personnel, however classified or designated, who are employed through City departments (File 02-0361).

Comment: Attached is an April 19, 2002 memorandum prepared by the Budget Analyst's Office in response to an inquiry regarding public relations personnel employed by the City.

Harvey M. Rose

cc: Supervisor Hall
Supervisor Gonzalez
Supervisor Sandoval
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

April 19, 2002

TO: Supervisor McGoldrick

FROM: Budget Analyst

SUBJECT: Public Relations Personnel

This memorandum is in response to your inquiry to Departments on the matter involving City employed public relations personnel. You requested that all City departments that employ public relations personnel report the number of such positions, the classification of such positions, the annual salary of such positions, as well as fringe benefits, and whether such positions are filled or vacant, and if vacant how long they have been so. In addition, you requested that City departments report whether such services are provided through consultant contracts, and if so, provide such contracts and the work plan under which the consultants operate. The Budget Analyst has reviewed the data submitted and reports as follows:

The information presented below is based on a 91 percent response rate to your inquiry, with 49 of 54 City departments, reporting public relations personnel information, and five City departments not responding to your request. Of the 49 City departments that responded, 25 departments reported having no public relations personnel, 15 departments reported having a total of 39 full time public relations positions, with salaries and benefits totaling $3,420,153 in Fiscal Year 2001-2002. Eight departments reported having personnel that dedicated some portion of their time to public relations duties, at a salary and fringe benefit cost of $245,541 in Fiscal Year 2001-2002, based on the reported percentage of time such personnel dedicate to public relations duties. One department, the Mayor's Office, responded by stating that they had "no response". Of the five departments which did not respond, three departments, Business and Economic Development, Community Health Network, and County Education Office, did not respond because they were not on the Clerk of the Board's master list of City Departments, and therefore were not sent requests according to Ms. Diane Perez of the Clerk of the Board, and two departments, the Municipal Transportation Agency (MUNI) and the Recreation and Park Department simply did not respond to the request. In addition, two departments, the Airport and the Department of Building Inspection, reported that a portion of their public relations services were provided through consultant contracts in Fiscal Year 2001-2002, not to exceed $469,000. Total Fiscal

Year 2001-2002 costs reported by the 49 responding departments, including personnel and contractual services, was $4,134,694.

The term "public relations" was apparently broadly defined by some of the City departments that responded to the inquiry to include a number of activities. Therefore, public relations positions submitted by the City departments ranged in duties, which included 1) promoting public awareness of and support for departmental policies and programs, 2) educating and reaching out to the public, 3) responding to press inquiries and monitoring the media and 4) responding to public inquiries and complaints.

For example, according to Mr. Fred Hamdun, Executive Director of the Department of Parking and Traffic (DPT), DPT has no staff dedicated either full time or part time to public relations duties. However, Mr. Hamdun frequently either handles directly or designates staff to respond to inquiries from the media or the public or to the handling of complaints.

Of the 49 City departments that responded to the inquiry, the following 25 departments reported having no public relations personnel:

Departments Reporting No Public Relations Personnel

- Asian Art Museum
- Administrative Services
- Adult and Aging Services
- Adult Probation
- Administrative Services – Animal Care and Control
- Assessor/Recorder
- Board of Supervisors
- Administrative Services – Convention Facilities Management
- Child Support Services
- City Planning
- Controller
- Employee Retirement System
- Fine Arts Museum
- Human Rights Commission
- Human Resources
- Law Library
- Administrative Services - Medical Examiner
- Public Defender
- Parking and Traffic
- Elections
- Rent Arbitration Board
- Department on the Status of Women

Telecommunications and Information Services
Treasurer/Tax Collector
Trial Court

The Budget Analyst notes that even though these 25 departments reported having no public relations personnel, they may have personnel that dedicate some portion of their time to public relations duties.

Of the 49 City departments that responded to the inquiry, 15 departments reported a total of 39 full time public relations position, with salaries and benefits totaling, $3,420,153 as shown below.

City Departments	Position	Annual Salary and Fringe Benefits	Position Status
Airport	0931 Manager VII	$117,312	Filled
	0933 Manager IX	141,148	Filled
	0943 Manager XII	184,178	Filled
	1823 Senior Administrative Analyst	84,214	Filled
	1310 Public Relations Assistant	56,680	Filled
	Subtotal	583,532	
Art Commission	1312 Public Info. Officer	69,907	Filled
Administrative Services Consumer Assurance	1314 Public Relations Officer	76,042	Filled
Department of Children, Youth and Their Families	1312 Public Relations Officer	58,079	Vacant
District Attorney	0923 Manager VI	107,986	Filled
Fire Department	H-33 Paramedic Captain	113,480	Filled
Human Services	0923 Manager VI	113,731	Filled
Juvenile Probation	0922 Manager VI	95,863	Did not report
Police	0380 Police Inspector	92,265	Filled
	8213 Police Services Aide	66,235	Filled
		158,500	
Public Health	1371 Special Assistant XII	96,276	Filled
	2140 Hospital Adm. Asst.	85,165	Filled
	Subtotal	181,441	
Public Library	3636 Librarian IV	115,895	Filled
	1314 Public Relations Officer	68,575	Filled
		184,470	

City Departments	Position	Annual Salary and Fringe Benefits	Position Status
Department of Public Works	0941 Manager	135,090	Filled
	1312 Public Info. Officer	65,282	Filled
	1312 Public Info. Officer	68,565	Filled
	1312 Public Info. Officer	68,565	Filled
	1312 Public Info. Officer	56,389	Filled
	1314 Public Relations Officer	74,144	Filled
	1314 Public Relations Officer	81,730	Vacant
	5265 Architectural Associate I	81,730	Filled
	Subtotal	631,495	
Public Utilities Commission	1312 Public Info. Officer	57,493	Vacant
	1314 Public Relations Officer	83,330	Filled
	5408 Coordinator of Citizen Involvement	90,090	Vacant
	1314 Public Relations Officer	83,330	Filled
	1314 Public Relations Officer	83,330	Filled
	1314 Public Relations Officer	71,988	Filled
	1314 Public Relations Officer	71,988	Filled
	1314 Pubic Relations Officer	83,330	Filled
	1446 Secretary II	54,666	Filled
	9382 Director of Communications	106,373	Filled
	1824 Principal Administrative Analyst	101,303	Filled
	Subtotal	887,221	
Redevelopment Agency	1314 Public Affairs Officer	94,526	Filled
Sheriff	1312 Public Information Officer	63,880	Did not report
Total		$3,420,153	

According to Mr. George Suncin of the Department of Children, Youth, and their Families, one 1312 Public Information Officer position has been vacant since November of 2001. According to Mr. Jim Horan of the Department of Public Works (DPW), one 1314 Public Relations Officer position has been vacant since March of 2002. According to Ms. Paula Kehoe of the Public Utilities Commission (PUC), two PUC public relations positions have been vacant, one 1312 Public Information Officer position since October of 2001, and one 5408 Coordinator of Citizen Involvement position since January of 2002.

The Police Department originally reported that they employed no public relations personnel. However, the Police Department has a Public Affairs Bureau in the Chief's Office that is staffed by a Police Inspector and a Police Services Aide. The Public Affairs Bureau responds to requests for information from the news

media and the general public, issues notices on wanted criminals, and reports on crime statistics.

Of the 49 City Departments responding to the inquiry, eight City departments reported having personnel that dedicated only a portion of their time to public relations duties, with salaries and benefits totaling $245,541, as shown below.

City Departments	Full Time Annual Salary and Fringe Benefit Costs and the Percentage of Time Dedicated to Public Relations	Total Costs - Salary with Benefits
City Attorney	8178 Senior Attorney $68,593 x 50% =	$34,297
	8151 Legal Assistant 22,698 x 25% =	5,675
	Subtotal	39,972
Civil Service Commission	1285 Executive Officer 133,471 x 6% =	8,008
	0951 Deputy Director 1 103,870 x 6% =	6,232
	Subtotal	14,240
Department of Building Inspection	0922 Manager V 97,659 x 10% =	9,766
Emergency Communications	0922 Manager V 103,647 x 25% =	25,912
	0931 Manager VII 108,828 x 33% =	35,913
		61,825
Environment	1156 Department Director 157,802 x 5% =	7,890
	1314 Outreach Manager 81,046 x 10% =	8,105
	1365 Outreach Assistant 25,271 x 5% =	1,264
	Subtotal	17,259
Ethics Commission	AC33 Executive Director 166,688 x 2% =	3,334
	1824 Dep. Exec. Director 138,500 x 1% =	1,385
	1844 Campaign Finance Officer 111,438 x 10% =	11,144
	1823 Investigator 94,750 x 0.5%=	474
	1426 Sr. Clerk Typist 74,500 x 5%=	3,725
	Subtotal	20,062
Port	9390 Executive Assistant 101,892 x 55% =	56,041
War Memorial	4119 Performing Arts Center Aide 75,361 x 35% =	26,376
Total		**$245,541**

According to Mr. John Martin of the Airport, the Airport has two separate contracts for public relations services, including one contract with DuDell and Associates for an amount not to exceed $375,000 in Fiscal Year 2001-2002, and one contract with Bay Relations for an amount not to exceed $54,000 in Fiscal Year 2001-2002, for a total amount not to exceed $429,000 in Fiscal Year 2001-2002. According to Mr. Frank Chiu, the Department of Building Inspection has a contract with the firm Their PR in the amount not to exceed $40,000 for public outreach in Fiscal Year 2001-2002.

As previously noted, five departments did not respond. Three of the five departments did not respond because they were not on the Clerk of the Board's master list of City Departments, and therefore did not receive a request, according to Ms. Perez. They were 1) Business and Economic Development, 2) Community Health Network, and 3) County Education Office. The remaining two departments, which were sent requests but did not respond, were MUNI and the Recreation and Park Department. Of the five departments that did not respond, the Budget Analyst notes that three City departments had the following seven public relations related positions authorized in their FY 2001-2002 budgets, totaling $545,131, as shown below.

City Departments	Position	Annual Salary and Fringe Benefits
Municipal Transportation Agency	1312 Public Information Officer	$70,176
	1314 Public Relations Officer (four positions)	334,603
		404,779
Recreation and Park Department	1312 Public Information Officer	70,176
County Education Office	1312 Public Information Officer	70,176
Total		$545,131

Therefore, when added to the $4,134,694 in expenditures reported by the 49 responding departments, the Budget Analyst has identified at least $4,679,825 ($4,134,694 plus $545,131) of public relations type expenditures being incurred in Fiscal Year 2001-2002.

Conclusion

In conclusion, although 25 City Departments responded to this inquiry stating that they had no public relations personnel on their staff, it is likely that such departments interpreted the inquiry somewhat narrowly. It seems highly probable that virtually all City departments have personnel dedicated for at least a portion of their time to either: 1) promoting public awareness of and support for departmental policies and programs, 2) educating and reaching out to the public, 3) responding to press inquiries and monitoring the media and 4) responding to public inquiries and complaints. Each of these activities could be interpreted as some form of public relations. While all of these activities would seem to be appropriate, as long as such activities are directed towards the delivery of or improvement of services provided by City Departments, the question of whether it is necessary to expend approximately $4.7 million annually on public relations expenditures is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: President Ammiano
Supervisor Daly
Supervisor Gonzalez
Supervisor Hall
Supervisor Leno
Supervisor Maxwell
Supervisor Newsom
Supervisor Peskin
Supervisor Sandoval
Supervisor Yee
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey
Steve Kawa

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City and County of San Francisco
Meeting Minutes
Rules and Audits Comm

Members: Supervisors Tony Hall, Matt Gonzalez

Clerk: Deborah Muccino

City Hall
1 Dr. Carlton B.

[All Committees]
Steve Kawa
Mayor's Office, City Hall Rm 288

Tuesday, May 21, 2002 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

MEETING CONVENED

The meeting convened at 1:18 p.m.

REGULAR AGENDA

012130 **[Regulation of Mass Mailings]**

Supervisor Leno

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by amending section 1.161 to require candidates who pay for mass mailings to file, within five working days after the date of the mailing, an itemized disclosure statement with the San Francisco Ethics Commission.

12/3/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/2/2002.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

Heard in Committee. Speakers: Supervisor Leno; Ginny Vida, Ethics Commission; Gilbert Criswell.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

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020671 **[Appointment]**

Hearing to consider appointing 5 members to the Treasury Oversight Committee.

5 Seats Being Considered.
Vacant Seat, succeeding Dr. Philip R. Day, Jr., term expired, seat 1, must be the Chancellor of the Community College District or his/her designee, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Edward Harrington, term expired, seat 2, must be the County Controller, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Enrique Navas, term expired, seat 3, must be the County Superintendent of Schools or his/her designee, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Leo Fermin, term expired, seat 4, must represent the public at large, for the unexpired portion of a four year term expiring June 5, 2005.
Vacant Seat, succeeding Richard Sullivan, term expired, seat 5, must represent the public at large, for the unexpired portion of a four year term expiring June 5, 2005.

4/22/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

5/7/02, CONTINUED. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney, City Attorney's Office; Male Speaker, Richard Sullivan, applicant; Leo Fermin. applicant; Sarah Hart, applicant.

Continued to May 21, 2002.

Heard in Committee. Speaker: J. Madfield, Chief Assistant Treasurer.

Dr. Philip R. Day, Jr., seat 1; Edward Harrington, seat 2; Sarah Hart, seat 3; Leo Fermin, seat 4; and Richard Sullivan, seat 5; recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Dr. Philip R. Day, Jr., Edward Harrington, Sarah Hart, Leo Fermin, and Richard Sullivan, terms ending June 5, 2005, to the Treasury Oversight Committee.

Dr. Philip R. Day, Jr., succeeding himself, term expired, seat 1, must be the Chancellor of the Community College District or his/her designee, for the unexpired portion of a four year term expiring June 5, 2005;
Edward Harrington, succeeding himself, term expired, seat 2, must be the County Controller, for the unexpired portion of a four year term expiring June 5, 2005;
Sarah Hart, succeeding Enrique Navas, term expired, seat 3, must be the County Superintendent of Schools or his/her designee, for the unexpired portion of a four year term expiring June 5, 2005;
Leo Fermin, succeeding himself, term expired, seat 4, must represent the public at large, for the unexpired portion of a four year term expiring June 5, 2005;
Richard Sullivan, succeeding himself, term expired, seat 5, must represent the public at large, for the unexpired portion of a four year term expiring June 5, 2005.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020679 **[Reappointment of Ramon Romero to the San Francisco Redevelopment Agency]**

Mayor

Resolution confirming the reappointment of Ramon Romero to the San Francisco Redevelopment Agency for the remainder of a four-year term ending September 3, 2005. (Mayor)

4/29/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Mark Dunlap, SF Redevelopment Agency Commissioner; Marcia Rosen, Executive Director, SF Redevelopment Agency; Ramon Romero, applicant.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020670 **[Board Off-site Meetings]**

Supervisor Ammiano

Motion ordering the City and School District Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on June 19, 2002 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

5/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Speakers: None.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020676 **[Amending the Board's Process for Considering Appointments to the Planning Commission and the Board of Appeals]**

Motion amending Rule 2.31 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to amend the process for the Board's consideration of appointments to the Planning Commission and the Board of Appeals, consistent with Charter Sections 4.105 and 4.106. (Clerk of the Board)

4/29/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speaker: Gloria Young, Clerk of the Board.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020350 **[Corporate Property Reassessment]**

Supervisor Gonzalez

Resolution urging the California State Legislature to place on the ballot a constitutional amendment modifying current tax code to close corporate loopholes in Proposition 13 and allow reassessment of corporate property at current value.

2/25/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/4/02, REFERRED to Rules and Audits Committee. Supervisor Yee requested this matter be severed so it could be considered separately

Supervisor Yee requested this matter be sent to committee.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020351 [Small School Policy]

Supervisors Gonzalez, Sandoval, Leno, McGoldrick

Resolution supporting the San Francisco Board of Education's resolution establishing an autonomous small school policy for the San Francisco Unified School District.

2/25/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/4/02, REFERRED to City and School District Committee. Supervisor Sandoval requested this matter be severed so it could be considered separately.

Supervisors Sandoval, Leno and McGoldrick requested to be added as co-sponsors.

Supervisor Yee requested this matter be sent to committee.

5/2/02, TRANSFERRED to Rules and Audits Committee.

Heard in Committee. Speakers: Matt Alexander, Small Schools for Equity; Nicole Derse, Youth Commission; Jennifer Lucky; Eric Lopez, Student; Ernestine Weiss.

5/16/02 At page 1 line 12 after "Consent" delete "Degree" and add "Decree".

AMENDED.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020649 [Urging Bechtel Corporation to withdraw their punitive legal claim]

Supervisors Gonzalez, Daly

Resolution urging Bechtel Corporation and its Bolivian subsidiary, Aguas del Tunari, to immediately withdraw their punitive legal claims in international courts against Bolivia and its people and to abstain from engaging in any further litigation or mediation claims - either within or without U.S. borders - with the South American country.

4/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/29/02, REFERRED to Rules and Audits Committee.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020596 [Candidate Qualification Statements]

Supervisor Gonzalez

Ordinance amending the Municipal Elections Code to permit candidates for Assessor-Recorder and Public Defender who qualify for a runoff election to submit a new candidate qualification statement for the runoff election.

4/15/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 5/15/2002.

Heard in Committee. Speakers: Paula Jesson, Deputy City Attorney; Gilbert Criswell; Ernestine Weiss.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020637 [Establishing a San Francisco Museum and Historical Society Advisory Committee]
Supervisor Peskin

Ordinance amending Article VIII of the San Francisco Administrative Code by adding Section 2A.166 to establish the San Francisco Museum and Historical Society Advisory Committee as an advisory committee to the Board of Supervisors and the Board of Trustees of the Fine Arts Museums of San Francisco.

4/22/02. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 5/22/2002. From Deputy City Attorney Adine Varah, memo to Supervisor Peskin submitting a revised version of the ordinance dated 4/23/02, to correct minor typographical errors.

4-29-02 President Ammiano waived the 30-day rule.

Heard in Committee. Speakers: Supervisor Peskin; Carol McMillan, Fine Arts Museums; Adine Varah, Deputy City Attorney; James Lazarus, SF Museum and Historical Society; Mrs. Mendelson, SF Museum and Historical Society; Susan Hildbreth, Public Library.
5/21/02 Amendment of the whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

SPECIAL ORDER - 4:00 PM

LITIGATION

Conference with City Attorney

(Convene in Closed Session)
Motion that the Rules and Audits Committee of the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlements in the lawsuits or claims listed below.

Unanimous vote to convene in closed session by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020710 [Settlement of Claim]
Resolution approving the settlement of the unlitigated claim filed by June Crabtree against San Francisco for $100,000; claim was filed on March 29, 2001. (City Attorney)

(Public Benefit Recipient.)

5/6/02, RECEIVED AND ASSIGNED to Rules and Audits Committee Department requests this item be calendared at the May 21, 2002 meeting.

RECOMMENDED.. by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent. 1 - Sandoval

Report on Closed Session

Deputy City Attorney Paula Jesson reported that the Rules and Audits Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]
Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote to not to disclose discussion to the public by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020283 **[Fire Department Audit]**

Supervisor Peskin

Hearing to review the findings and recommendations contained in the recently released Fire Department audit submitted by the Budget Analyst's Office.

2/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

3/19/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Harvey Rose, Budget Analyst's Office; Steve Foti, Budget Analyst's Office; Ken Bruce, Budget Analyst's Office; Mario Trevino, Chief, San Francisco Fire Department; Dr. John Brown; Severin Campbell, Budget Analyst's Office; Khai Ali, Assistant Deputy Chief, San Francisco Fire Department; Russ McCallion, EMS Section Chief-Operations, San Francisco Fire Department; Rich Shortall, EMS Chief, San Francisco Fire Department; Allen Gibson, Budget Analyst's Office; Christine Regan; Joanne Hayes White, San Francisco Fire Department; Stan Jones, Budget Analyst's Office; Fred Howell, Budget Analyst's Office; John Hanley.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

ADJOURNMENT

The meeting adjourned at 4:25 p.m.

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City and County of San Francisco
Meeting Minutes
Rules and Audits Committ [All Committees]

Members: Supervisors Tony Hall, Matt Gonzalez and

Clerk: Deborah Muccino

City Hall
Government Document Section
Main Library

Thursday, May 30, 2002 **9:00 AM** **City Hall, Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez.

Members Absent: Gerardo Sandoval.

MEETING CONVENED

The meeting convened at 9:05 a.m.

020283 **[Fire Department Audit]**

Supervisor Peskin

Hearing to review the findings and recommendations contained in the recently released Fire Department audit submitted by the Budget Analyst's Office.

2/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

3/19/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Harvey Rose, Budget Analyst's Office; Steve Foti, Budget Analyst's Office; Ken Bruce, Budget Analyst's Office; Mario Trevino, Chief, San Francisco Fire Department; Dr. John Brown; Severin Campbell, Budget Analyst's Office; Khai Ali, Assistant Deputy Chief, San Francisco Fire Department; Russ McCallion, EMS Section Chief-Operations, San Francisco Fire Department; Rich Shortall, EMS Chief, San Francisco Fire Department; Allen Gibson, Budget Analyst's Office; Christine Regan; Joanne Hayes White, San Francisco Fire Department; Stan Jones, Budget Analyst's Office; Fred Howell, Budget Analyst's Office; John Hanley.

5/21/02, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

Heard in committee. Speakers: Harvey Rose, Budget Analyst's office; Steve Foti, Budget Analyst's office; Mario Trevino, Chief, San Francisco Fire Department; Rich Shortall, EMS Chief, San Francisco Fire Department; Christine Regan, San Francisco Fire Department; Severin Campbell, Budget Analyst's office; Dan Sullivan, San Francisco Fire Department; Khai Ali, Management Services, San Francisco Fire Department; Jim Corrigan; Mark Austria.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

ADJOURNMENT

The meeting adjourned at 11:42 a.m.

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City and County of San
Meeting Minute [All Committees]
Rules and Audits Con

Government Document Section
Main Library

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Tuesday, June 04, 2002 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

Meeting Convened

The meeting convened at 1:10 p.m.

020789 **[Appointing Rev. Dr. James McCray, Jr. to the MTA Board of Directors]**

Mayor

Resolution confirming the appointment of Rev. Dr. James McCray, Jr. to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2006. (Mayor)

5/13/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Roberta Boomer, Director Secretary, Municipal Transportation Agency; Rev. Dr. James McCray, Jr.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020788 **[Appointing Shirley Breyer Black to the MTA Board of Directors]**

Mayor

Resolution confirming the appointment of Shirley Breyer Black to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2006. (Mayor)

5/13/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Roberta Boomer, Director Secretary, Municipal Transportation Agency; Shirley Breyer Black.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

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SAN FRANCISCO
PUBLIC LIBRARY

020402 [Appointment]
Hearing to consider appointing one member to the Bay Area Library and Information System Advisory Board.

1 Seat Being Considered
Vacant Seat, succeeding Deborah Doyle, term expired, seat 1, must represent public at large and underserved residents.
3/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Deborah Doyle; Carlos Soto.
Continued to June 25th 2002.
CONTINUED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020876 [Appointment]
Hearing to consider appointing six members to the City-Wide Alcoholism Advisory Board.

6 Seats Being Considered
Vacant seat, succeeding John Malloy, term expired, seat 1, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005.
Vacant seat, succeeding Frances Newman, term expired, seat 2, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005.
Vacant seat, succeeding Robert Nelson Jr., term expired, seat 3, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005.
Vacant seat, succeeding Rev. Timothy Downs, term expired, seat 4, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005.
Vacant seat, succeeding Carlos Soto, term expired, seat 5, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005.
Vacant seat, succeeding Douglas Bias, resigned, seat 9, must have professional, research, or personal interest in alcoholism, for the unexpired portion of a 3 year term ending July 1, 2004.
5/20/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee: Speakers: Danita Manthis, City-Wide Alcoholism Advisory Board; Robert Dupire Nelson; John Malloy; Timothy Downs; Carlos Soto; Daniel Tobin; Larry Roberts, aide to Supervisor Gonzalez; Deborah Doyle; Helenya Brooke, Mental Health Board.

Seat 2 continued to the call of the chair. See file #021044.
DIVIDED.

Hearing to consider appointing five members to the City-Wide Alcoholism Advisory Board.

5 Seats Being Considered
Vacant seat, succeeding John Malloy, term expired, seat 1, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Vacant seat, succeeding Robert Nelson Jr., term expired, seat 3, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Vacant seat, succeeding Rev. Timothy Downs, term expired, seat 4, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Vacant seat, succeeding Carlos Soto, term expired, seat 5, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Vacant seat, succeeding Douglas Bias, resigned, seat 9, must have professional, research, or personal interest in alcoholism, for the unexpired portion of a 3 year term ending July 1, 2004.

Appointments of John Malloy, seat 1; Robert Dupire Nelson, seat 3; Timothy Downs, seat 4; Carlos Soto, seat 5; Daniel Tobin, seat 9; recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Daniel A. Tobin, term ending July 1, 2004, and John J. Malloy, Robert Dupire Nelson, Timothy C. Downs, and Carlos R. Soto, terms ending July 1, 2005, to the City-Wide Alcoholism Advisory Board.

John J. Malloy, succeeding himself, term expired, seat 1, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Robert Dupire Nelson, succeeding himself, term expired, seat 3, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Timothy C. Downs, succeeding himself, term expired, seat 4, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Carlos R. Soto, succeeding himself, term expired, seat 5, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Daniel A. Tobin, succeeding Douglas Bias, resigned, seat 9, must have professional, research, or personal interest in alcoholism, for the unexpired portion of a 3 year term ending July 1, 2004.

RECOMMENDED.. by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021044 **[Appointment]**

Hearing to consider appointing one member to the City-Wide Alcoholism Advisory Board.

Divided from file #020876.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020877 [Appointment]

Hearing to consider appointing two members to the Mental Health Board.

2 Seats Being Considered
Vacant Seat, succeeding Alex Kitzes, resigned, seat 15, must be a health professional for the unexpired portion of a three-year term ending January 31, 2004;
Vacant Seat, succeeding Chester Villalba, resigned, seat 16, must be a family member,for the unexpired portion of a three-year term ending January 31, 2003.

5/20/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Helenya Brooke, Mental Health Board; Amber Carol Robinson; Deborah Michelle Sanders; Dorothy Shaffer; Joel Luebkeman; Richard Nizzardini.

Appointment of Richard Nizzardini, seat 15; and Dorothy Shaffer, seat 16, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Richard Nizzardini, term ending January 31, 2004, and Dorothy Shafer, term ending January 31, 2003, to the Mental Health Board.

Richard Nizzardini, succeeding Alex Kitzes, resigned, seat 15, must be a health professional for the unexpired portion of a three-year term ending January 31, 2004;
Dorothy Shaffer, succeeding Chester Villalba, resigned, seat 16, must be a family member, for the unexpired portion of a three-year term ending January 31, 2003.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020879 [Management Letters for FY Ended June 30, 2001 and Audit Plans for FY Ended June 30, 2002]

Supervisor Hall

Hearing to consider the Management Letters for the City and County of San Francisco as issued by the City's independent auditors for the fiscal year ended June 30, 2001 and the Audit Plans for fiscal year ended June 30, 2002, in accordance with Charter Section 9.117.

5/20/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Sponsor requests this item be scheduled for consideration at the June 4, 2002 meeting.

Heard in Committee. Speakers: Edward Harrington, Controller; Tiffany Ann Rasmussen, KPMG; Thomas D. Pyper, Karling & Associates, LLP; Raul Hernandez, Hood and Strong LLP; John Woo, Accounting Manager, San Francisco Port; Ted Lakey, Deputy City Attorney.

FILED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020953 **[2001-2002 San Francisco Civil Grand Jury Report]**

Supervisor Hall

Hearing on the recommendations of the 2001-2002 San Francisco Civil Grand Jury, regarding the April 2002 Professional Services Contracts report.

5/28/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: William G. Bowen, Foreman, 2001-02 Civil Grand Jury; Edward Harrington, Controller; Ms. Blackwell, San Francisco Purchasing Department.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Noes: 1 - Sandoval

020952 **[2001-2002 San Francisco Civil Grand Jury Report]**

Supervisor Hall

Hearing on the recommendations of the 2001-2002 San Francisco Civil Grand Jury, regarding the April 2002 billboard report.

5/28/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

Heard in Committee. Speakers: William G. Bowen, Foreman, 2001-02 Civil Grand Jury; Didi Workman; Supervisor Mark Leno.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020897 **[2000-01 Civil Grand Jury Recommendations]**

Hearing to consider directing the Clerk of the Board to submit responses to the status of the implementation of the recommendations of the 2000-2001 San Francisco Civil Grand Jury. (Clerk of the Board)

(Pursuant to Administrative Code Section 2.10.)

5/16/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Responses requested no later than June 14, 2002

Heard in Committee. Speakers: Edward Harrington, Controller; Ted Lakey, Deputy City Attorney; John Hense; William G. Bowen, Foreman, 2001-02 Civil Grand Jury.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

LITIGATION

Conference with City Attorney

(Convene in Closed Session)
Motion that the Rules and Audits Committee of the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlements in the lawsuits or claims listed below.

Unanimous vote to convene in closed session by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020757 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Imogene Jones against the City and County of San Francisco for $70,000; the lawsuit was filed on April 10, 2001 in the United States District Court, Case No. C01-1405 WHA; entitled Imogene Jones, v. City and County of San Francisco, et al. (City Attorney)
5/8/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020760 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the Environmental Law Foundation against Nibco, Inc. for $83,000; the lawsuit was filed on December 28, 1999 in the Superior Court of California for the City and County of San Francisco, CASE NO. 308832; The People of the State of California by and through San Francisco City Attorney DENNIS J. HERRERA, et al., V. Matco-Norca, et al.; other material terms of said settlement are: (1) Within 60 days from the entry of the Consent Judgment, Nibco shall to provide a Proposition 65 "hang tag" or adhesive warning sign securely affixed on all brass water shut off valves it manufactures or distributes and intended for sale or use in California whose American National Standard/NSF International Standard 61, Section 8 test results for lead leached into water is greater than 5 micrograms per liter; (2) Nibco shall meet certain lead reduction targets for certain water shut off valves manufactured or distributed by Nibco that are intended for sale or use in California; (3) Within 60 days following the end of each targeted period, Nibco shall submit to the Environmental Law Foundation test result showing that the specific valves set forth in the lead reduction target that are sold or used in California meet the lead reduction level required and a certification that Nibco has not and will not offer for sale or use in California valves that do not comply with the lead reduction target. (City Attorney)
5/8/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020825 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Marvin Sexton, Jr. against the City and County of San Francisco for $76,000; the lawsuit was filed on November 15, 2000 in United States District Court, Northern District of California, Case No. C 01-0930 WHA; entitled Marvin Sexton, Jr., v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

5/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules and Audits Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

ADJOURNMENT

The meeting adjourned at 5:30 p.m

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/6/02

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF CANCELLED MEETING

RULES AND AUDITS COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the meeting of the Rules and Audits Committee scheduled for Tuesday, June 18, 2002 at 1:00 p.m. at 1 Dr. Carlton B. Goodlett Place, Room 263, City Hall, San Francisco, California, has been **cancelled**.

Gloria L. Young, Clerk of the Board

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City and County of San Francisco ... City Hall

Meeting Minut

Rules and Audits Co

Members: Supervisors Tony Hall, Matt Gonz

Clerk: Deborah Mucciño

A
[All Committees]
Government Document Section
Main Library

Tuesday, June 25, 2002 | **9:00 AM** | **City Hall, Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

Meeting Convened

The meeting convened at 9:05 a.m.

020402 **[Appointment]**

Hearing to consider appointing one member to the Bay Area Library and Information System Advisory Board.

1 Seat Being Considered

Vacant seat, succeeding Deborah Doyle, term expired, seat 1, must represent public at large and underserved residents.

3/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

6/4/02, CONTINUED. Heard in Committee. Speakers: Deborah Doyle; Carlos Soto.
Continued to June 25th 2002.

Speakers: None.

Appointment of Deborah Doyle, seat 1, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Deborah Doyle, seat 1, term ending June 30, 2004, to the Bay Area Library and Information System Advisory Board.

1 Seat Being Considered

Deborah Doyle, succeeding herself, seat 1, must represent public at large and underserved residents for a new two year term ending June 30, 2004.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

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020805 **[Charter Amendment - Entertainment Commission]**

Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Charter amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission.

5/13/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/12/2002.

Heard in committee. Speakers : Supervisor Leno; Debra Newman, Budget Analyst's office; Dorji Roberts, City Attorney; Captain Tom O' Neill, SFPD; Rhaji Bajit, Department of Public Health; Bob Planthold; Jim Mekhole; Sean Mills, Seventeen Reasons; Frederick Hobson; Kathleen Harrington, Golden Gate Restaurant Association; John Wood, Late Night Coalition; Jerry Paul, permit consultant; Mark Rennie; Bevin Dufte; Bruce McDonald; Terrence Allen; Paul Hogan; R. Stephen Ellis; John DeCastro; Tim Faldy, Chair, Union Square Association, Public Policy Committee; David Overdorf; Linda Mjellen; Robert Garcia; Nick Fynn; Stephanie Tucker; Justin Kimble; Gilbert Criswell; Kathy Ellis; Ed Harrington, Controller.
Supervisors Daly, Ammiano, Gonzalez, Newsom, Peskin and Sandoval requested to be added as co-sponsors.
Continued to July 5, 2002.

CONTINUED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020783 **[Establishing the San Francisco Entertainment Commission]**

Supervisors Leno, McGoldrick, Daly

Ordinance: (1) amending the San Francisco Administrative Code to add a new Chapter 90 establishing the San Francisco Entertainment Commission; (2) providing for assistance from the Police Department to the Entertainment Commission for the transfer of specified permitting and licensing functions from the Police Department to the Entertainment Commission; (3) amending Article 1 of the San Francisco Police Code (i) relative to renewals of permits and licenses generally, and (ii) to transfer permitting responsibility for the use of loudspeakers or sound amplifying equipment outside buildings or out of doors from the Police Department to the Entertainment Commission; (4) amending Article 15 of the San Francisco Police Code to transfer licensing responsibility for amusements from the Police Department to the Entertainment Commission; (5) amending Article 15.1 of the San Francisco Police Code to transfer permitting responsibility for Places of Entertainment from the Police Department to the Entertainment Commission; and (6) amending Article 15.2 of the San Francisco Police Code to transfer permitting responsibility for Extended Hours Premises from the Police Department to the Entertainment Commission.

(Fiscal impact.)

5/13/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers : Supervisor Leno; Debra Newman, Budget Analyst's office; Dorji Roberts, City Attorney; Captain Tom O' Neill, SFPD; Rhaji Bajit, Department of Public Health; Bob Planthold; Jim Mekhole; Sean Mills, Seventeen Reasons; Frederick Hobson; Kathleen Harrington, Golden Gate Restaurant Association; John Wood, Late Night Coalition; Jerry Paul, permit consultant; Mark Rennie; Bevin Dufte; Bruce McDonald; Terrence Allen; Paul Hogan; R. Stephen Ellis; John DeCastro; Tim Faldy, Chair, Union Square Association, Public Policy Committee; David Overdorf; Linda Mjellen; Robert Garcia; Nick Fynn; Stephanie Tucker; Justin Kimble; Gilbert Criswell; Kathy Ellis; Ed Harrington, Controller.
Supervisors Daly, Ammiano, Gonzalez, Newsom, Peskin and Sandoval requested to be added as co-sponsors.
6/25/02 Amendment of the whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Noes: 1 - Hall

020803 **[Charter Amendment - Retirement Benefits for Police and Fire Personnel]**

Supervisors Ammiano, Sandoval

Charter amendment (First Draft) to add Sections A8.595 through A8.595-14, A8.596 through A8.596-14, A8.597 through A8.597-15, and A8.598 through A8.598-15 thereto, relating to retirement benefits for police officers and firefighters, and by amending Sections A8.500-1 and A8.500-2 to conform to the new retirement plans.

(Fiscal impact.)

5/13/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/12/2002.

Heard in committee. Speakers: Supervisor Ammiano; Clare Murphy, San Francisco City and County Employee's Retirement System; Alice Vilagomez; Chris Cunne.

RECOMMENDED.

020888 **[Charter Amendment - Assistance to Elections Department]**

Supervisor Ammiano

Charter amendment (Second Draft) to amend section 13.104.5 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguisable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waive, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; and specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan.

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/3/02, ASSIGNED to Rules and Audits Committee.

6/3/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.

Heard in committee. Speakers: Supervisor Ammiano; Deputy City Attorney Julia Moll; Ed Harrington, Controller.

6/25/02 Amendment of the whole bearing same title.

Continued to July 5, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Third Draft) to amend section 13.104.5 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguisable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waive, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; and specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

012056 [Municipal Water and Power Charter Amendment]

Supervisors Ammiano, Maxwell

Charter amendment (Second Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

11/13/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 12/13/2001

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

6/17/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment (Second Draft) bearing new title.

6/17/02. ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Brad Benson, Aide to Supervisor Ammiano; Theresa Mueller, Deputy City Attorney; Hyampsis Sumchai.

Continued to July 5, 2002.

CONTINUED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020887 [Charter Amendment - Establishing Municipal Water and Power Agency]

Supervisor Ammiano

Charter Amendment (Second Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.128, amend Section 9.111-1 and 4.112 and delete Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing, hiring and selection of providers; reporting and planning requirements; revenue bonds or other financing methods.

(Fiscal impact.)

2/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/17/02. SUBSTITUTED. Supervisor Ammiano submitted a substitute charter amendment (Second Draft) bearing new title.

6/17/02. ASSIGNED to Rules and Audits Committee.

Speakers: None.

Continued to July 5, 2002.

CONTINUED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

011656 [Charter Amendment - Public Utilities Commissioners]

Supervisor Hall

Charter amendment (First Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment.

9/17/01. ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 10/17/2001.

10/25/01, CONTINUED TO CALL OF THE CHAIR.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

Speakers: None.

Continued to July 5, 2002.

CONTINUED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

ADJOURNMENT

The meeting adjourned at 3:10 p.m.

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

June 21, 2002

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JUN 25 2002

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TO: Rules and Audits Committee

FROM: Budget Analyst

SUBJECT: June 25, 2002 Rules and Audits Committee Meeting

Items 2 and 3 – Files 02-0805 and 02-0783

Note: The Office of the Sponsor has advised the Budget Analyst that an Amendment of the Whole will be introduced at the Committee meeting for File No. 02-0783 (the proposed ordinance). The proposed Amendment of the Whole will include changes to the proposed ordinance. Such proposed changes are not addressed in the Budget Analyst's report except as noted.

Proposed Charter Amendment:

File No. 02-0805

Charter Amendment adding a new Section 4.117 to establish the composition and appointment of members to the San Francisco Entertainment Commission.

Proposed Ordinance:

File No. 02-0783

Ordinance: (1) amending the San Francisco Administrative Code to add a new Chapter 90 establishing the San Francisco Entertainment Commission; (2) providing for assistance from the Police Department to the Entertainment Commission for the transfer of specified permitting and licensing functions from the Police Department to the Entertainment Commission; (3) amending Article 1 of the San Francisco Police Code (i) relative to renewals of permits and licenses generally, and (ii) to transfer permitting responsibility for

the use of loudspeakers or sound amplifying equipment outside buildings or out of doors from the Police Department to the Entertainment Commission; (4) amending Article 15 of the San Francisco Police Code to transfer licensing responsibility for amusements from the Police Department to the Entertainment Commission; (5) amending Article 15.1 of the San Francisco Police Code to transfer permitting responsibility for Places of Entertainment from the Police Department to the Entertainment Commission; and (6) amending Article 15.2 of the San Francisco Police Code to transfer permitting responsibility for Extended Hours Premises from the Police Department to the Entertainment Commission.

Description:

File No. 02-0805 (Proposed Charter Amendment)

The proposed Charter Amendment stipulates that the San Francisco Entertainment Commission would consist of seven members, four appointed by the Mayor and three appointed by the Board of Supervisors. The initial terms of the Entertainment Commissioners would be staggered with the Mayor appointing two members to serve four-year terms, one member to serve a three-year term and one member to serve a two-year term. The Board of Supervisors would appoint three initial members: one to a four-year term, one to a three-year term, and another to a two-year term. Except for appointments to fill vacancies, all terms subsequent to the initial terms would be for four years.

The proposed Charter Amendment further requires that the appointments to the San Francisco Entertainment Commission represent various interests as follows: (1) two members (one appointed by the Mayor and one appointed by the Board of Supervisors) would represent the interests of City neighborhood associations or groups (2) two members (one appointed by the Mayor and one appointed by the Board of Supervisors) would represent the interests of entertainment associations or groups (3) two members (one appointed by the Mayor and one appointed by the Board of Supervisors) would represent the interests of the public health community and (4) one member appointed by the Mayor would represent the interests of the law enforcement community.

The proposed Charter Amendment specifies that San Francisco members of the Entertainment Commission could be suspended or removed from the Commission for official misconduct in accordance with the Charter. (Mr. Dorji Roberts of the City Attorney's Office advises that through the proposed Amendment of the Whole, this provision will become more specific to state that: (1) Commissioners appointed by the Mayor could be suspended by the Mayor for official misconduct (2) Commissioners appointed by the Board of Supervisors could be suspended by the President of the Board of Supervisors for official misconduct. All Commissioners could be removed by the Board of Supervisors for official misconduct.)

File No. 02-0783 (Proposed Ordinance)

The proposed ordinance would create the above-discussed seven-member San Francisco Entertainment Commission that would assume a variety of permit issuance and related responsibilities from the Police Department. As discussed above, a proposed Charter Amendment (File No. 02-0805) scheduled to be on the November 5, 2002 ballot (if approved by the Board of Supervisors) stipulates that four members of the proposed Entertainment Commission would be appointed by the Mayor and three members would be appointed by the Board of Supervisors.

The proposed ordinance amends the San Francisco Administrative Code to empower the Entertainment Commission to:

(1) Accept, review, and gather information regarding, and conduct hearings upon, applications for entertainment-related permits; and, rule upon and issue, deny, condition, suspend, revoke or transfer entertainment-related permits in accordance with applicable laws and regulations. For permits the Commission deems routine and unlikely to pose a significant negative impact, the Commission could authorize its staff to rule upon such matters, subject to Commission review under certain conditions. The proposed ordinance defines entertainment-related permits as (a) loudspeaker permits (b) itinerant show permits (c) dance hall keeper permits

(d) place of entertainment permits (e) after hours permits and (f) licenses for amusements.

(2) Impose reasonable conditions upon the issuance or renewal of entertainment-related permits consistent with the applicable law, regulations and good neighbor policies (see number 6 below).

(3) Suspend, revoke or withdraw entertainment-related permits in accordance with the law and regulations governing such permits.

(4) Coordinate with all relevant City departments for the conduct of any inspection or investigation necessary or appropriate for the consideration of applications for the issuance, renewal or transfer of entertainment-related permits.

(5) Promote the use of City facilities for cultural, entertainment, athletic and similar events that generate revenue for the City, in consultation with the City departments having jurisdiction over such facilities.

(6) Develop and recommend to the Mayor and Board of Supervisors "good neighbor policies" that balance competing interests and promote the health, safety and welfare of San Franciscans and visitors to San Francisco.

(7) Mediate disputes between persons affected by cultural, entertainment and athletic events and establishments permitted by the City and organizers of such events and operators of such establishments.

(8) Plan and coordinate the provision of City services for major events for which there is no recognized organizer, promoter or sponsor, or where identified organizers, promoters or sponsors cannot, in the opinion of the Commission, provide adequate planning and coordination for the size, geographic distribution or nature of the event.

(9) Prepare and submit to the Mayor and the Board of Supervisors a report analyzing the Entertainment Commission's effectiveness in advancing the policies specified in the proposed ordinance and the laws governing entertainment-related permits, and making recommendations related thereto. The proposed ordinance requires that such a report be submitted within one year of the effective date of July 1, 2003. The Commission would also be subject to annual reporting requirements required of all Commissions as well.

(10) Exercise the powers and duties of the Entertainment Commission with respect to events and establishments to be held or operated upon property or within facilities under the jurisdiction of the Recreation and Parks Commission or Port Commission, subject to the approval of the Recreation and Parks Commission or Port Commission.

The proposed ordinance stipulates that the Commissioners would serve four-year terms, except for the initial terms (see File No. 02-0805 for additional detail).

The proposed ordinance also provides compensation for Commissioners of $50 per meeting and reimbursement of reasonable expenses for authorized activities on behalf of the Commission, in accordance with written policies and procedures adopted by the Commission and approved by the Board of Supervisors. The proposed ordinance also states that the Commission shall select a chairperson annually who will serve a term of one year and who may be reappointed to serve additional terms. The proposed ordinance empowers the chairperson to call special meetings, instruct the Executive Director to undertake all steps necessary or appropriate for the Commission to issue, deny, condition, suspend, revoke and transfer entertainment-related permits in a timely manner, and to perform other duties that may be specified in the bylaws of the Commission.

The proposed ordinance stipulates the following responsibilities of the Entertainment Commission staff (see Comment No. 3):
(1) the Executive Director would: manage the day-to-day affairs of the Entertainment Commission; appoint and have supervisory authority over the permit administrators, sound technicians and other Commission personnel; be responsible for planning and coordinating of major cultural, entertainment, athletic and similar events in the City; promote the use of City-owned facilities for such events; promote the location of cultural, entertainment, athletic and similar establishments in the City; promote the responsible operation of such establishments and adherence by their operators to good

neighbor policies designed to protect the health, safety and welfare of residents and businesses in the vicinity of such establishments; and perform other duties as the Entertainment Commission may prescribe.
(2) Permit Administrators would: be responsible for reviewing applications and advising applicants regarding the submission of necessary information for the Commission to process applications in a timely manner; verifying information contained on entertainment-related permit applications; assisting other City departments in the review of applications for permits and coordinating investigations by developing instructions, manuals and forms for entertainment-related permit applications that can be accessed on the Internet; informally mediating disputes between neighbors and such establishments and events; and for other duties the Executive Director may designate.
(3) Sound Technicians would be responsible for conducting tests and investigations related to: (a) noise levels and compliance with Article 29 of the San Francisco Police Code for purposes of issuing, denying, conditioning, suspending, revoking or transferring entertainment-related permits (b) issuing findings, reports, and recommendations thereon and (c) other duties as the Executive Director may stipulate.

The proposed ordinance directs the Police Department to provide assistance to the Entertainment Commission to aid in the transition of permitting and licensing functions from the Police Department to the Entertainment Commission. The proposed ordinance further stipulates that if the Police Department temporarily assigns appropriate Police personnel to the Entertainment Commission for this purpose, the Entertainment Commission would bear the cost of such temporary reassignments for no longer than four months.

The proposed ordinance would transfer from the Police Department to the Entertainment Commission responsibilities for the issuing, conditioning, suspending, revoking and/or authorizing transfers of the following permits and/or licenses: (1) loudspeaker permits, (2) itinerant show permits (itinerant shows are defined as any outdoor carnival, show, or concession exhibiting or

operating temporarily under a tent or in the open other than an amusement park), (3) dance hall keeper permits, (4) place of entertainment permits, (5) after hours permits, (6) licenses for amusements (circuses, rodeos, ball or ring throwing games, masked balls, amusement parks, mechanical amusement devices, billiard and pool tables, arcades and recreational equipment vendors).

The proposed ordinance would also amend the Police Code to require that any business with a place of entertainment permit that also has an occupancy permit for 150 or more persons have a manager or other responsible employee on the premises with a working mobile phone to respond to complaints regarding noise, traffic, illegally parked vehicles belonging to patrons, the conduct of patrons or other conditions attributable to the operation of the permitted premises. The entertainment permit holder would be required to provide such a complaint hotline during anytime which the establishment is open for business and during anytime when sound amplifying equipment is in use (regardless of whether the establishment is open). The proposed ordinance further requires that the manager or another responsible employee maintain such a complaint hotline and provide annual written notice of the hotline and telephone number to the Entertainment Commission and to businesses and residents within 300 feet of the permitted establishment. If the phone number for the complaint hotline changes, the proposed ordinance requires the permit holder to promptly update the public notice to the Entertainment Commission and the nearby businesses and residents.

In addition, the proposed ordinance directs the newly formed Entertainment Commission to serve as a planning and coordination agency that would help organizers of cultural, entertainment, athletic and similar events apply for and obtain the necessary City permits for each event. The Entertainment Commission would aid applicants by providing information and directing applicants to the appropriate City Departments so that the permit requests would be processed timely.

Comments:

1. Sergeant William Coggan of the Police Department advises that the proposed Ordinance and Charter Amendment are based on a recommendation by the 1999-2000 San Francisco Grand Jury. The Grand Jury recommended that a small commission be established "exclusively to handle entertainment venue permits in San Francisco." The Grand Jury report noted that "under the current process, the Police act as 'judge, jury, and executioner.'"

The FY 1999-2000 Grand Jury recommended that such a commission be modeled after the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) established in 1983 to consider all applications for the temporary use or occupancy of public streets for street fairs or athletic events, such as the annual Bay to Breakers race. The ISCOTT consists of a variety of City Department heads or their designees. The Grand Jury recommended that such a composition would be appropriate for the proposed commission on entertainment venue permits.

The proposed Charter Amendment, however, specifies that the San Francisco Entertainment Commission would consist of members representing the interests of: (1) City neighborhood associations or groups (2) entertainment associations or groups (3) the public health community and (4) the law enforcement community. The Office of the Sponsor indicated that the rationale for having the proposed Commission consist of groups other than just Department heads or their designees (as the Grand Jury report recommended) is that the Sponsor believed it was important to allow the public to have input on the new Commission. The Office of the Sponsor further notes that as a Commission, rather than a committee, the Entertainment Commission would be able to propose policies and plan for events for which permits are not issued, such as the Halloween celebrations in the Castro.

2. Mr. Roberts advises that the proposed amendments to the Police Code do not result in substantive changes to the City's permitting or licensing requirements other than transferring the responsibilities from the Police Department to the Entertainment Commission and the

requirement to establish a complaint hotline. Mr. Roberts notes that one proposed change that is substantive would require certain businesses to have a manager or other responsible employee available with a mobile phone that would serve as the complaint hotline. Such businesses would further be required to notify neighbors of the complaint hotline phone number and if the phone number changes. (However, Mr. Roberts further advises that the proposed Amendment of the Whole would remove this complaint hotline provision.)

3. As of the writing of this report, information was not available to the Budget Analyst regarding the specific San Francisco Entertainment Commission positions that would be created under the proposed Ordinance or transferred from the Police Department. However, the Budget Analyst notes that the proposed ordinance specifies duties for an Executive Director, Sound Technicians, and Permit Administrators.

Although the proposed ordinance requires the transfer from the Police Department to the Entertainment Commission of the subject responsibilities, Sergeant Coggan advises that the Police Department does not anticipate a reduction in any Police Department positions due to the creation of the proposed Entertainment Commission and the related transfer of such responsibilities. Sergeant Coggan explains that the reason for this is that the Police Department will continue to conduct investigations related to permit requests and complaints and will then provide an opinion to the Entertainment Commission for its consideration (an opinion that is currently provided to the Police Chief). In contrast, the Entertainment Commission will conduct background work for the issuance of the permits, a function currently performed by the Police Department. The purpose of the 1999-2000 Grand Jury recommendation was to separate the permitting function from the investigation and complaint resolution function.

4. As of the writing of this report, the Controller's Office had not completed their estimates of the fiscal impact of the proposed Charter Amendment and Ordinance. The

Controller's Office advises that they will provide such estimates directly to the Rules and Audits Committee.

Recommendation: Approval of the proposed Charter Amendment and Ordinance is a policy matter for the Board of Supervisors.

Item 4 - File 02-0803

Proposed Charter Amendment: Charter Amendment adding Sections A8.595 through A8.595-14, A8.596 through A8.596-14, A8.597 through A8.597-15, and A8-598 through A8.598-15 thereto, relating to retirement benefits for Police Officers and Firefighters, and amending Sections A8.500-1 and A8.500-2 to conform to the new retirement plans.

Draft: First

Charter Sections Affected: Sections A8.595 through A8.595-14, A8.596 through A8.596-14, A8.597 through A8597-15, and A8-598 through A8.598-15. Additionally, Sections A8.500-1 and A8.500.2.

Description: The proposed Charter Amendment would improve the retirement benefits paid to approximately 3,600 active Police Officers and Firefighters as well as all future hires, referred to as "safety employees", who are members of the San Francisco Employees' Retirement System (SFERS). The proposed improved retirement benefit would be paid to all uniformed Police and Fire employees who retire after January 1, 2003. The proposed new Charter Sections A8.595 through A8.595-14, A8.596 through A8.596-14, A8.597 through A8597-15, and A8-598 through A8.598-15 would create four new pension plans that would calculate the retirement allowance for safety employees using a new "3% at 55" formula, capped at 90 percent of the safety employees final compensation.

Currently, Police Officers and Firefighters hired on or after November 2, 1976, receive a "2.7% at 55" formula, capped at 75 percent of the safety employee's final compensation. Therefore, the proposed Charter Amendment would improve the benefits paid to safety employees by increasing the formula from 2.7% to 3.0% at age 55, with the maximum benefits increasing from a cap of 75 percent to 90 percent, an increase of 15 percent. As

shown in the table below, a different formula is used for safety employees hired prior to November 2, 1976. However their retirement benefits are currently capped at 75 percent also, which would increase to 90 percent, if they retire after January 1, 2003, under the proposed Charter Amendment.

The table below summarizes the four existing pension plans under the old Charter Sections and the four new "3% at 55" pension plans under the proposed Charter Sections.

Safety Employees	Existing Pension Plans	Proposed Pension Plans	Distinguishing Features
Police	**Section A8.559** *55% at age 50 plus 4% per year w/ 75% cap*[1]	**Section A8.595** *3% at age 55 w/ 90% cap*	Safety Employees hired prior to 11/2/1976
Fire	**Section A8.585** *55% at age 50 plus 4% per year w/ 75% cap*	**Section A8.596** *3% at age 55 w/ 90% cap*	Safety Employees hired prior to 11/2/1976
Police	**Section A8.586** *2.7% at age 55 w/ 75% cap*	**Section A8.597** *3% at age 55 w/ 90% cap*	Safety Employees hired on or after 11/2/1976
Fire	**Section A8.588** *2.7% at age 55 w/ 75% cap*	**Section A8.598** *3% at age 55 w/ 90% cap*	Safety Employees hired on or after 11/2/1976

The four pension plans under existing Charter Sections A8.559, A8.585, A8.586, and A8.588 would continue to exist, if the proposed Charter Amendment creating four new pension plans with the "3% at 55" formula were approved, in order to prescribe retirement benefits for already retired safety employees.

According to Ms. Clare Murphy, Executive Director of the Employees' Retirement System, in order to protect their vested rights, all safety employees hired prior to November 2, 1976 would have the option to either remain under their existing pension plans under the old Charter Sections, or transfer to the "3% at 55" pension plans under the

[1] 55 percent of salary on the date of retirement plus four percent per year of service above minimum service requirement of 25 years capped at 75 percent.

new Charter Sections. Ms. Murphy further states that all safety employees hired on or after November 2, 1976 would automatically be transferred to the new "3% at 55" pension plans.

Under the proposed Charter Amendment, the "3% at 55" formula would calculate retirement benefits by multiplying the total years of service by a percentage factor beginning at 2.4 percent at age 50, and moving up to a maximum of three percent at age 55, as shown in Attachment I provided by Ms. Murphy.

Comments:

1. Attachment II, provided by Ms. Murphy, is an actuarial cost projection by Towers Perrin, Consulting Actuaries, estimating the cost of the proposed Charter Amendment to the SFERS. The total estimated cost of providing this benefit to Police and FireFighters, amortized over 20 years, is approximately $282,600,000,000, or $28,000,000 for the first year. This $28,000,000 cost would consist of $8,200,000 in "normal costs", and $19,700,000 in "amortized costs", as explained in Attachment II. According to Ms. Murphy, the annual cost of nearly $28,000,000 would also increase with the growth of the City's annual payroll and as the increased number of members covered under the new "3% at 55" pension plans retire, die, terminate employment or become disabled. Ms. Murphy reports that the annual cost increase would be reevaluated annually as part of the yearly SFERS plan valuation.

2. As stated in Attachment II, the Employees' Retirement System current surplus of approximately $2,425,000,000, as of the June 30, 2001 valuation, would be reduced to approximately $2,143,000,000 or by an estimated $282,000,000 as a result of the proposed Charter Amendment. Ms. Murphy advises that because of their surplus, the proposed retirement benefits of "3% at 55", capped at 90 percent, if passed by the voters, should not result in additional costs to the City for the next ten years. However, Ms. Murphy states a variety of factors including extended mortality, adverse

investment performance, or other demographic factors could result in a cost to the City prior to the end of the ten years during which it is estimated the Employees' Retirement System surplus would be depleted.

3. According to Ms. Murphy, the proposed Charter Amendment would also improve Fire Department Paramedic retirement benefits by allowing the conversion of civilian paramedic service time to uniformed service time, thereby adding approximately seven months of service time to the retirement calculation for each Fire Department Paramedic. According to Ms. Murphy, SFERS is currently unable to determine the cost associated with the proposed provision change.

4. According to Ms. Murphy, safety employees from the Sheriff's Department are currently covered under the California Public Employees' Retirement System (CalPERS), not the San Francisco Employees' Retirement System, and therefore would not be directly impacted by this proposed Charter Amendment. However, Ms. Murphy advises that the memorandum of agreement between the City and the Sheriff's Association states that the City will amend its contract with CalPERS to provide uniformed safety employees at the Sheriff's Department with "3% at 55", capped at 90 percent as well, if this proposed Charter Amendment is approved by the voters. According to Ms. Murphy, this would result in an as yet undetermined additional cost to the City.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

City and County of San Francisco

San Francisco City and County
Employees' Retirement System
Office of The Executive Director

June 17, 2002

Ms. Gloria Young
Clerk of the Board
Board of Supervisors
City Hall, Room 244
Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Re: File Number 020803
Charter Amendment –Retirement
Benefits for Police and Fire
Personnel (Ammiano)

Dear Ms. Young:

As required by charter section A8.500 of the San Francisco City and County Charter, the following is the cost and effect report relating to the proposed charter amendment which adds sections A8.595 through A8.595-14, A8.596 through A8.596-14, A8.597 through A8.597-15 and A8.598 through A8.598-15 relating to retirement benefits for police officers and firefighters and which amends sections A8.500-1 and A8.500-2.

Effect

This proposed charter amendment adds four new pension benefit structures, which parallel existing benefit structures. The addition of the four new benefit structures will clearly differentiate the benefits payable to those current members who retire, die or terminate employment on or after January 1, 2003 and the benefits payable to all new hires on or after January 1, 2003. The primary difference between the existing benefit structures and the proposed benefit structures is in the service retirement formulas. Following is a table showing the current provisions and the proposed changes:

(415) 487-7020 30 Van Ness Avenue, Suite 3000 San Francisco, CA 94102

Charter Sections	Current Formula	Maximum Benefit	Proposed Changes	Maximum Benefit
A8.559→A8.595 Police A8.585→A8.596 Fire	55% of salary of the rank upon qualification for service retirement and 4% per year for service beyond QSR	75%	Ret. Age/ % per yrs X salary of the rank 50 / 2.400 50.25/ 2.430 50.50/ 2.460 50.75/ 2.490 51 / 2.520 51.25/ 2.550 51.50/ 2.580 51.75/ 2.610 52 / 2.640 52.25/ 2.670 52.50/ 2.700 52.75/ 2.730 53 / 2.760 53.25/ 2.790 53.50/ 2.820 53.75/ 2.850 54 / 2.880 54.25/ 2.910 54.50/ 2.940 54.75/ 2.970 55 / 3.000	90%
A8.586 → A8.597 Police A8.588 → A8.598 Fire	Ret. Age/%per yrs X final annual salary 50 / 2.000 50.25 / 2.035 50.50 / 2.070 50.75 / 2.105 51 / 2.140 51.25 / 2.175 51.50 / 2.210 51.75 / 2.245 52 / 2.280 52.25 / 2.315 52.50 / 2.350 52.75 / 2.385 53 / 2.420 53.25 / 2.455 53.50 / 2.490 53.75 / 2.525 54 / 2.560 54.25 / 2.595 54.50 / 2.630 54.75 / 2.665 55 / 2.700	Maximum Benefit 75%	Ret. Age/% per yrs X Final annual salary 50 / 2.400 50.25/ 2.430 50.50/ 2.460 50.75/ 2.490 51 / 2.520 51.25/ 2.550 51.50/ 2.580 51.75/ 2.610 52 / 2.640 52.25/ 2.670 52.50/ 2.700 52.75/ 2.730 53 / 2.760 53.25/ 2.790 53.50/ 2.820 53.75/ 2.850 54 / 2.880 54.25/ 2.910 54.50/ 2.940 54.75/ 2.970 55 / 3.000	Maximum benefit 90%

Other significant benefit changes are:

1. For all safety groups, death in the line of duty and disability retirement benefits are recalculated when a member would have qualified for service retirement. This proposed amendment applies the service retirement formula increases noted above to all new retirees on or after January 1, 2003, as well as to all current disabled retirees pending Qualified for Service Retirement status.

2. This charter amendment provides for the conversion of civilian paramedic service rendered in the Fire department to uniformed status adding approximately 7 months of service for each paramedic who became a fire rescue paramedic (H1) or a firefighter paramedic (H3).

3. In order to protect the vested rights of the members now covered by charter sections A8.559 and A8.585 (approximately 575 members); each member will be required to sign a waiver choosing the benefit structure under which they select to be covered. This provision will allow members to elect to continue coverage under the existing charter section.

4. This proposal contains a cost sharing provision which will call for meet and confer between the city and police and fire labor representatives in order to "effect a material reduction of the cost impact ..." should the employer contributions required by this charter amendment exceed 0%. Employee paid contributions are limited to either 7% or 7.5% of covered gross salary.

This charter amendment also amends charter sections A8.500-1 and A8.500-2 to provide reciprocity and domestic partner benefits to all members of the San Francisco Employees' Retirement System.

Cost

The actuarial cost of the proposed charter amendment has been projected by Towers Perrin, Consulting Actuaries and can be found in the attached letter from Leslie P. Finertie, FSA dated June 7, 2002. As noted in the letter, this charter amendment will have two cost impacts;

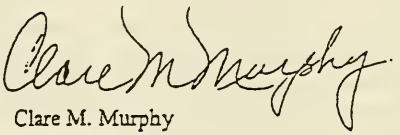
1. a permanent change in the normal cost of the plan of .44% of payroll or $ 8.2 million in the first year, and
2. an additional cost amortizing the actuarial accrued liability over the next 20 years at the rate of 1.06% of payroll or approximately $19.7 million in the first year.

The first year annual cost is approximately $28 million, which will increase with payroll over time.

Due to the current fully funded condition of the San Francisco Employees' Retirement System Trust Fund, this charter amendment should not require the payment of employer contributions for at least the next ten years.

Representatives of the San Francisco Employees' Retirement System will be available to answer questions at the Rules and Audits Committee meeting on June 25, 2002

Very truly yours,



Clare M. Murphy
Executive Director and
Acting Actuary

cc: Mayor Willie L. Brown Jr.
Supervisor Tom Ammiamo, President Board of Supervisors
Attorney Dennis Herrera, City Attorney
Supervisor Tony Hall, Chair Rules and Audits Committee
Supervisor Matt Gonzalez, Vice Chair Rules and Audits Committee
Supervisor Gerardo Sandoval, Member Rules and Audits Committee
Controller Ed Harrington
Chief Mario Trevino
Chief Fred Lau
Harvey Rose, Budget Analyst
Leanne Nhan, Office of the Budget Analyst
Eve Eichwald, Controllers Office
Deborah Muccino, Clerk Rules and Audits Committee
Vincent A. Harrington, Jr.
Chris Cunnie, President, Police Officers Association
John Hanley, President, Firefighters Local 798
Leslie P. Finertie, FSA, Towers Perrin

CMM/gm

City and County of San Francisco

San Francisco City and County
Employees' Retirement System
Office of The Executive Director

June 17, 2002

Ms. Gloria Young
Clerk of the Board
Board of Supervisors
City Hall, Room 244
Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Re: File Number 020938
Charter Amendment –Retirement
Benefits for Miscellaneous Safety
Employees (Ammiano)

Dear Ms. Young:

As required by charter section A8.500 of the San Francisco City and County Charter, the following is the cost and effect report relating to the proposed amendment of charter section A8.506-2.

Effect

The proposed amendment deletes one sentence from the existing provision. The deletion removes the limitation on the Board of Supervisors' authority to establish or amend contracts with the California Public Employees' Retirement System. Currently the charter section limits the Board of Supervisors authority to those contracts (or contract amendments) which create no net increase in cost to the city and county or the community college district. The proposed amendment removes the "no net increase in cost" limitation.

Cost

This proposed charter amendment does not in and of itself impact the cost of the San Francisco contracts for retirement benefits for miscellaneous safety employees with California Public Employees' Retirement System. The removal on the "no net increase in cost" sentence will allow future contracts or contract amendments, which will result in an increase over the cost of retirement benefits prior to the new contract or contract amendment(s).

Representatives of the San Francisco Employees' Retirement System will be available to answer questions at the Rules and Audits Committee meeting on July 5, 2002.

Very truly yours,

Clare M. Murphy
Executive Director and Acting Actuary

cc: Mayor Willie L. Brown Jr.
Supervisor Tom Ammiano, President, Board of Supervisors
Mr. Dennis Herrera, City Attorney
Supervisor Tony Hall, Chair, Rules and Audits Committee
Supervisor Matt Gonzalez, Vice Chair, Rules and Audits Committee
Supervisor Gerardo Sandoval, Member, Rules and Audits Committee
Controller Ed Harrington
Harvey Rose, Budget Analyst
Leanne Nhan, Office of th Budget Analyst
Eve Eichwald, Controllers Office
Deborah Muccino, Clerk, Rules and Audits Committee

CCM/gm

Leslie P. Finertie, FSA, FCA, MAAA
Principal

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E-mail: finertl@towers.com

Towers Perrin

RETIREMENT SYSTEM
JUN 13 2002

June 7, 2002

Ms. Clare Murphy
San Francisco City and County
Employees' Retirement System
30 Van Ness Avenue, Suite 3000
San Francisco, CA 94102

Dear Clare:

We have reviewed the final proposed Charter amendment to provide a 3% at 55 retirement schedule with a 90% maximum benefit for all Safety members effective January 1, 2003. Note that our cost analysis uses membership data as of July 1, 2001. The valuation does not assume any growth in membership. The actuarial assumptions used are the same as those used in the July 1, 2001 valuation with one exception. We modified the retirement rates for Old Safety members to reflect an assumption that all members would retire in four years.

On this basis, the total cost to the San Francisco Employees' Retirement System (SFERS) of providing this benefit improvement is approximately $282.6 million. This would reduce the current surplus of $2,425 million to approximately $2,143 million. The total increase in actuarial accrued liability is amortized in the valuation over a 20-year period, and is 1.06% of payroll, or approximately $19.7 million annually. The normal cost increase is 0.44% of payroll, or about $8.2 million. Thus, the total first-year cost is nearly $28 million, in 2001 dollars.

Since the cost increases are shown as of July 1, 2001, the percentage of payroll figures rather than the dollars, will give the best indication of the effect of this change.

Please let us know if you need anything else.

Sincerely,

Leslie P. Finertie, FSA
Principal

cc: Wendy G. Londa – Towers Perrin

Item 5 - File 02-0888

Proposed Ballot Measure: Charter Amendment clarifying that Charter Section 13.104.5 does not prohibit City personnel from providing to the Department of Elections services that are indistinguishable from services provided to other City departments and unrelated to the conduct of elections; authorizing the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees working for the Department of Elections; eliminating the requirement that prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; and specifying that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan.

Draft: First

Section Affected: Section 13.104.5

Description: On November 6, 2001, the voters of San Francisco approved Proposition E, a Charter Amendment which added a new Section 13.104.5 to the City's Charter, to (a) provide that no City employees and officers, other than the employees and officers in the Department of Elections, can perform any function relating to the conduct of an election, (b) permit the Elections Commission, upon a finding that the Department of Elections will not have adequate staffing to conduct an election, request a waiver from the Board of Supervisors so that City employees and officers may assist the Department of Elections on election day, and (c) state that the "Sheriff shall be responsible for preserving the security and integrity of elections in all matters including but not limited to transporting all ballots and all other documents or devices used to record votes from the polls to the central counting location and providing security for the ballots until the certification of election results".

The proposed Charter Amendment would clarify Charter Section 13.104.5 to state that City personnel are prohibited from providing services that are unique to the Department of Elections, unless a waiver is granted by the Board of Supervisors. However, City personnel would no longer be prohibited from providing general support services that are unrelated to the conduct of an election and that are indistinguishable from services performed for other City departments. The proposed Charter Amendment specifies that these general support services that City personnel would be authorized to provide to the Department of Elections include, but are not limited to, services relating to human resources, personnel processing, payroll, workers compensation, budgeting, accounting, procurement, contracting and the maintenance of telephone and voice mail systems.

In addition, the proposed Charter Amendment would authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the ban on City employees working on elections. This Charter Amendment would delete two current requirements, (a) that prior to seeking a waiver from the Board of Supervisors, the Elections Commission must make a finding that it would not have adequate staffing to conduct an election, and (b) that such a waiver would only be applicable on the day of an election.

The proposed Charter Amendment would also clarify the role of the Sheriff in elections by stating that the Sheriff is responsible for transporting voted ballots and all other documents or devices used to record votes from the polls to the central counting location and approving a security plan for the ballots until the certification of election results. The proposed Charter Amendment would delete the requirement that the Sheriff is responsible for preserving the security and integrity of election in all matters including but not limited to transporting all ballots...and providing security for the ballots until the certification of election results.

Comments:

1. Ms. Julie Moll of the City Attorney's Office advises that the proposed new provisions are intended to clarify the provisions of Proposition E, that was approved by the San Francisco voters in November of 2001.

2. The Budget Analyst notes that prior to the approval of Proposition E, the Department of Elections relied on approximately 66 volunteer Field Election Deputies (FEDs), provided by approximately 14 City departments, at a loss of productivity to these other departments, but at no cost to the Department of Elections, to assist in conducting each election. However, the Director of Elections did not recommend and the Elections Commission did not waive the provision or seek such a waiver from the Board of Supervisors to use comparable City personnel as FEDs to assist with the March 5, 2002 election. Instead, the Department of Elections hired and trained 102 new Temporary Salary workers as FEDs at an average cost of $14.71 per hour for an average of 44 hours per FED, at a cost of approximately $70,000 for the one election.

3. The Budget Analyst also notes that the Sheriff's Department expended an estimated $347,467 for the March 5, 2002 election, an estimated $398,542 from November of 2001 through February of 2002 and an additional $59,192 to provide security for the Department of Election ballots stored at Pier 29, for a total of $805,201 of Sheriff's expenses for the Department of Elections in FY 2001-2002. As discussed above, under the existing provisions of Proposition E, the Sheriff is responsible for preserving the security and integrity of elections in all matters. The proposed Charter Amendment would limit the responsibility of the Sheriff's Department to transporting voted ballots and all other documents or devices used to record votes from the polls to the central counting location and approving a security plan for the ballots until the certification of the election results. These proposed Charter Amendment limitations should significantly

reduce the costs for the Sheriff to provide the necessary security for the City's elections.

4. As of the writing of this report, the Controller had not finalized estimates of the cost of the proposed Charter Amendment. The Controller will be providing such estimates directly to the Rules and Audits Committee.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Item 6 - File 01-2056

Proposed Ballot Measure: A proposal to the qualified voters of the City of San Francisco to amend the Charter of the City by amending Section 4.112 and adding a new Chapter 8B addressing Public Utilities Commission (PUC) governance, goals and objectives related to energy, powers of the PUC related to energy, siting of energy facilities and rates for energy services.

Draft: Second

Sections Affected: Section 4.112.

Description: According to Ms. Theresa Mueller of the City Attorney's Office, the proposed Charter Amendment, if approved by the voters, would:

(1) Change the PUC from a five-member commission appointed by the Mayor to a seven-member commission. Three of the commissioners would be appointed by the Mayor, and would include one representative of a non-profit consumer advocacy organization. Three other commissioners would be appointed by the President of the Board of Supervisors, and would include one environmental justice advocate. One commissioner would be appointed by the Controller and would have a background in utility management or municipal finance. All appointments must be confirmed by the Board of Supervisors. The seven commissioners would receive "reasonable compensation" which cannot exceed the average of the two highest compensations paid to the members of any Bay Area board or commission with similar authority and responsibility. The commissioners' terms would be for four years, with the exception of staggered initial terms.

(2) Require the PUC to (a) ensure reasonably-priced, reliable electric service; (b) establish a goal that 25 percent of the electricity provided by the PUC would be from renewable sources such as wind or solar

energy; (c) establish energy conservation and efficiency goals; (d) develop energy resources sufficient to shut down the Hunters Point power plant by January of 2005 and allow for the closure of other polluting power plants; (e) develop energy resources to serve San Francisco; (f) periodically publish a resource plan; (g) report on the PUC's success in achieving the goals and recommend changes to help achieve goals; and (h) remedy environmental justice inequities and create opportunities for participation by disadvantaged communities in developing the PUC's goals and objectives.

(3) Permit the PUC, without the Board of Supervisors approval, to (a) enter into long-term contracts in any amount for energy and related services; (b) enter into joint powers agreements with other public entities; and (c) serve as "the default provider of energy" which would permit the PUC to sell energy to San Francisco residents and businesses.

(4) Permit the PUC to issue revenue bonds, loans, and other forms of indebtedness with Board of Supervisors approval if (a) the Controller certifies that sufficient revenues will be available to meet the PUC's bond repayment obligations; (b) if an independent engineer certifies that the bond-funded projects would meet appropriate utility standards; and (c) the Planning Department certifies that the bond-funded facilities would comply with the California Environmental Quality Act. The proceeds could only be used for the construction of new facilities, the repair and replacement of existing City energy facilities, and the acquisition of generating facilities.

(5) Permit bond and loan proceeds to be used to acquire local distribution facilities after completing an independent cost-benefit analysis, if the PUC has: (a) not been able to obtain the agreement of Pacific Gas and Electric, Inc. to either sell electricity directly to San Francisco residents and businesses by means of the grid owned by Pacific Gas and Electric, Inc.,

and therefore the City decides to take over the grid; or (b) reached agreement with Pacific Gas and Electric, Inc. to purchase its distribution facilities.

(6) Requires the PUC to consider and make findings related to the siting of new energy facilities consistent with environmental justice laws and policies, environmental impacts, and project alternatives. New generation projects would not be located in Southeast San Francisco without a PUC finding that the project would result in a net decrease in pollution. However, in siting clean energy generating technologies, the PUC would give preference to Southeast San Francisco locations to maximize the public health, environmental, and economic benefits for local residents. The PUC could not support nuclear generating facilities.

(7) Requires the PUC to establish cost-based energy rates at a level sufficient to meet bond and loan payments, maintain credit ratings, finance operating and capital costs, and guarantee prudent reserves, while also allowing for a discount rate program for low income users and encouraging energy conservation. Rates could include surcharges to fund conservation and renewable energy programs.

(8) Mandates periodic cost of service studies, five-year rate and cost forecasts, and the establishment of a Rate Fairness Board[1].

(9) Allows revenue transfers to the General Fund only if (a) the PUC's rates, including any surcharges, are certified by the Controller to be below the rates which would be charged by Pacific Gas and Electric, Inc., and (b) revenues are adequate to maintain the PUC's financial health.

[1] The Rate Fairness Board would have seven members including: (a) the City Administrator, (b) the Controller, (c) the Director of the Mayor's Office of Public Finance, (d) two City residential retail customers, with one appointed by the Mayor and the other appointed by the Board of Supervisors, (e) a large business customer appointed by the Mayor, and (f) a small business customer appointed by the Board of Supervisors.

(10) Requires the City, with regard to severance pay-outs for non-City employees, to negotiate in good faith with employees laid off as a result of the City acquiring any electric generating plan, or electric distribution and/or transmission system.

Comments:

1. The Attachment, provided by the PUC, summarizes the PUC's analysis of the costs and benefits of the proposed Charter Amendment.

2. The Budget Analyst notes that under this Charter Amendment, the PUC may not transfer surplus Hetch Hetchy funds to the City's General Fund. The last six years' transfers from Hetch Hetchy to the General Fund, were as follows:

Year	Hetch Hetchy Transfer to General Fund
FY 1996-97	$37,703,000
FY 1997-98	$45,703,000
FY 1998-99	$42,703,000
FY 1999-2000	$39,850,000
FY 2000-2001	$29,850,000
FY 2001-2002	$0
FY 2002-2003 (projected)	$0

3. As stated in the Attachment, the PUC suggests a monthly stipend of $2,000 for each of the seven new commissioners to reflect their increased time commitment due to their responsibilities under the proposed Charter Amendment. The seven commissioners would cost $168,000 annually. The PUC also estimates costs for periodic cost-of-service based rate studies (up to $200,000 every five years), increased legal counsel (approximately $300,000 annually), and the Rate Fairness Board (approximately $10,000 annually), but notes that there are various other related costs which cannot be readily quantified at this time.

4. As of the writing of this report, the Controller's Office has not completed their estimates of the cost of the

proposed Charter Amendment. The Controller will be providing such estimates directly to the Rules and Audits Committee.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

SAN FRANCISCO PUBLIC UTILITIES COMMISSION
1155 MARKET ST., 8TH FLOOR, SAN FRANCISCO, CA 94103 • TEL (415) 487-5250 • FAX (415) 487-5259

WATER
HETCH HETCHY WATER & POWER
CLEAN WATER

WILLIE L. BROWN, JR.
MAYOR

ANN MOLLER CAEN
PRESIDENT
E. DENNIS NORMANDY
VICE PRESIDENT
ASHOK KUMAR BHATT
JEFFREY CHEN

PATRICIA E. MARTEL
GENERAL MANAGER

DATE: JUNE 20, 2002

TO: BOARD OF SUPERVISORS BUDGET ANALYST
FROM: BILL BERRY, ASSISTANT GENERAL MANAGER FOR FINANCE & ADMINISTRATION, SFPUC

SUBJECT: **RE: FILE 01-2056 COSTS AND BENEFITS OF THE PROPOSED CHARTER AMENDMENT FOR ENERGY SERVICES**

The Charter Amendment, which would establish a new chapter 8B, and amend sections 4.112, articulates new and changed PUC governance structure, oversight responsibilities, and ongoing administrative and management framework. From the perspective of SFPUC management, the following are the anticipated costs and benefits of this Charter Amendment.

COSTS

While the proposed changes would provide significant benefits as outlined below, they would nonetheless entail additional costs that would be necessary to effect a new PUC energy business model. It should be noted that the costs outlined herein do not represent an exhaustive list, but rather a compilation of certain known and obvious costs at this time. There are some items that the SFPUC cannot adequately quantify at this time, and potentially other unanticipated costs that could materialize in the future. The projected costs are as follows:

- **CREATION OF SEVEN MEMBER BOARD**

  The new PUC comprises seven members. A suggested stipend of $2,000 for the Commissioners per month would total $168,000 annually. This assumes increased time commitment for the Board members, consistent with the revised responsibilities.

- **PERIODIC COST OF SERVICES STUDIES**

  The estimated cost of conducting a cost-of-service based rate study every five years is within a range of $120,000 to $200,000 per study.

- **INCREASED LEGAL COUNSEL COST**

  It is anticipated that legal counsel cost would increase by approximately $300,000 annually, consistent with the anticipated level of various contracts and agreements pursuant to the Charter Amendments.

- **RATE FAIRNESS BOARD**

  An annual cost of $10,000 is projected for miscellaneous expenditures necessary to organize and run the meetings of this board.

- **ISSUANCE OF REVENUE BONDS**

  SFPUC management estimates that approximately $100,000 to $200,000 would be required to prepare Hetchy to be rated by the

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ASHOK KUMAR BHATT
JEFFREY CHEN

PATRICIA E. MARTEL
GENERAL MANAGER

rating agencies and for preparation of other structuring and documents necessary to actually issue the revenue bonds.

- **OTHER ITEMS THAT CAN NOT BE QUANTIFIED AT THIS TIME**

  There are other related business matters with costs that cannot be readily quantified at this time. The PUC will engage in a study and review of these matters to come up with cost projections. The business issues include:

  Cost of potential acquisition of City distribution facilities pursuant to the conditions outlined in the Charter Amendment.

  Severance pay-outs to employees that may be necessary

BENEFITS

The benefits of this Charter Amendment would be significant. The amendment provides the framework for sustained efficient operations and maintenance of the Hetch Hetchy systems and, serves to enhance service to the ratepayers, particularly the citizens of the City and County of San Francisco. Some of the specific benefits of the Charter Amendment include:

The amendment provides SFPUC with an effective and streamlined operating framework to conduct the City energy business consistent with best practice in the industry.

It enables SFPUC management to enter into appropriate and approved transactions, agreements, or alliances swiftly and with the necessary authority, which will enhance power reliability and service delivery to our customers.

The amendment fosters the prudent management of the financial affairs of the power enterprise by requiring sound budgeting practices, cost based electric rate setting, prudent reserve provisions, and a streamlined ability to issue bonds necessary for capital additions and improvements of the system.

As mentioned above, the foregoing represents SFPUC management estimate of known costs and anticipated benefits of the Charter Amendments. These are by no means an exhaustive list as SFPUC is continuing to study the potential costs and benefits accruing to the enterprise and our customers as a result of these changes. SFPUC will update the BOS Budget Analyst and the members of the BOS with any new findings as additional information becomes available.

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If you have any questions or desire additional information, please email me at wberry@puc.sf.ca.us or call me at (415) 554-2457.

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Item 7 - File 02-0887

Proposed Ballot Measure: A proposal to the qualified electors of the City and County of San Francisco to amend the Charter of said city and county by creating a new Article VIIIB by adding Sections 8B.120 through 8B.128, amending Section 9.111-1 and 4.112, and deleting Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing, hiring and selection of providers; reporting and planning requirements; revenue bonds or other financing methods.

Draft: Second

Sections Affected: Sections 9.111-1, 4.112, and 16.103.

Description: According to Ms. Vicki Clayton of the City Attorney's Office, the proposed Charter Amendment, if approved by the voters, would:

(a) Clarify that the Public Utilities Commission (PUC) has exclusive control of the City's water and clean water assets. These utility assets comprise the Hetch Hetchy water and power system, and the City's sewerage system.

(b) Modify the annual PUC budget process. Under existing law, the PUC budget is subject to Mayoral and Board of Supervisors approval. The Board of Supervisors may amend the proposed annual appropriation so long as it does not increase the total expenditures for any fund. Under the proposed Charter Amendment, the PUC would propose a budget that the Mayor would be obligated to include in the annual appropriation ordinance and the Board of Supervisors would be limited to approving or rejecting, but could not modify, so long as the budget did not require any General Fund monies. However, if the proposed budget did require General Fund monies, then both the Mayor and the Board of Supervisors could modify the budget so that no General Fund

monies are required. The PUC would be able, at any time, to adopt a supplemental budget to modify the base budget based upon utility revenues, if there was no need for General Fund monies. The same approval process as above would apply to such supplemental budgets, meaning that the Board of Supervisors could not modify such supplemental budgets.

(c) Establish rate setting sufficient to meet the water and clean water systems' operational, maintenance, and financial needs while protecting retail ratepayers, reducing the interest paid on bonds and other indebtedness, and ensuring public review. Under existing law, the PUC recommends a schedule of rates, fees, and other charges to the Mayor who, in turn, submits the schedule to the Board of Supervisors for approval. Under the proposed Charter Amendment, the PUC would retain the power to set rates, fees, and other charges, but would also be required to establish retail rates and charges based on the cost of providing services to customers, with the goal of improving the financial condition and bond ratings of each enterprise under the PUC's jurisdiction. Each year, the PUC would be required to prepare a rolling five-year forecast of rates, fees, and other charges to be reviewed by a newly constituted Rate Fairness Board.[1] The proposed Charter Amendment would change the annual rate-setting process by having the proposed rate schedule be subject to approval or rejection by the Board of Supervisors by resolution, rather than ordinance. The PUC would also be required to (a) study rate-based conservation incentives and how best to provide assistance to low income users, and (b) retain an independent rate consultant to conduct rate and cost of service studies for PUC utilities at least every five years.

(d) If the Charter Amendment is approved, it would supercede Proposition H which freezes water and

[1] The proposed Rate Fairness Board would have seven members including: (a) the Treasurer or designee; (b) the Controller or designee; (c) the Director of the Mayor's Office of Public Finance or designee; (d) two residential customers, one appointed by the Mayor and one by the Board of Supervisors; (e) and two business customers, a large business customer appointed by the Mayor and a small business customer appointed by the Board of Supervisors.

clean water rates through July 1, 2006, with certain exceptions.

(e) Establish the PUC as an independent revenue department with the ability to transfer funds from one utility to another prior to any transfer to the General Fund. Under existing law, the PUC cannot transfer funds from one utility (for example, power) to another (for example, water or clean water). It can only, with the concurrence of two-thirds of the Board of Supervisors, transfer surplus funds to the General Fund. According to Ms. Clayton, the proposed Charter Amendment would grant the PUC authority to capture (a) all Hetch Hetchy surplus funds certified by the Controller, (b) the proceeds from property sales, and (c) lease revenues, to the extent allowable by bond covenants, for the costs of operating, repairing, and maintaining the water and clean water systems. In this way, the PUC may, for example, use surplus revenues from power to meet the needs of its water and clean water utilities before the surplus funds can be used for any other purpose, according to Ms. Clayton. Only if the PUC unanimously determines, with the concurrence of three-quarters of the Board of Supervisors, that surplus funds are not needed for any such utility purpose, could any portion of the surplus be transferred to the General Fund. The intent of this proposed Charter change is to provide the PUC with greater flexibility to fund the needs of each of the utilities under its jurisdiction as well as to protect the PUC from undue financial pressures to contribute to the City's General Fund, according to Ms. Clayton.

(f) Permit the PUC to exercise greater independence in contracting, purchasing, and selecting the providers of goods and services. Under existing law, the Civil Service Commission approves temporary professional services contracts, and the Board of Supervisors approves all non-construction contracts in excess of $10,000,000 or ten years in duration, and any contract amendments which have an impact of more than $500,000. Under the proposed Charter Amendment, the PUC would have the authority, without Board of Supervisors approval, to enter into (a) water purchase

and sale agreements and joint powers agreements, (b) construction-related personal services contracts for up to $50,000,000 or a ten-year term, and contract amendments for up to $1,000,000 or 40 percent of the original contract, whichever is greater, and (c) contracts to purchase construction materials and equipment. With regard to construction materials and equipment contracts, the PUC would not be required to obtain the Purchaser's approval. The intent of this proposed Charter change is to allow the PUC to enter independently into contracts and to purchase supplies and equipment without delay, according to Ms. Clayton.

(g) Require the development of long-term capital, financial, and strategic plans. Under existing law, the PUC is only required to include multi-year budgets for capital improvements and facilities in its annual appropriations ordinance authorized by the Board of Supervisors each fiscal year. Under the proposed Charter Amendment, the PUC would be required to annually update, review, conduct public hearings on, and adopt a ten-year capital improvement program and a long-range financial plan. The PUC would also be required to periodically develop, review, and approve a long-term strategic plan.

(h) Provide the PUC with greater discretion to hire, compensate, train, and assign staff. Under existing law, the PUC operates within the City's Civil Service system. Under the proposed Charter Amendment, the PUC would have the authority to (a) create employee classifications, exempt positions (for up to 2.5 percent of the total PUC workforce, exclusive of existing Charter exempt positions), incentive compensation plans, and individual employment contracts for top-level managers, and (b) select its own worker's compensation carrier. The intent of this proposed Charter change is to enhance organizational efficiency and effectiveness, and to promote labor stability to ensure that the PUC's capital improvement plan is completed expeditiously, according to Ms. Clayton.

(i) Permit the financing of needed capital improvements through revenue bonds or other financing methods. Under existing law, revenue bonds require either voters' majority approval or, under certain circumstances, approval of three-quarters of the Board of Supervisors[2]. The PUC, with Board of Supervisors approval, can (a) issue water or clean water revenue bonds so long as issuance results in net debt service coverage savings, and (b) enter into State or Federal loans to protect or enhance water resources or the environment, subject to a requirement that the loan not increase the amount of voter-approved debt or refund existing bonds and result in net debt service savings. Ms. Clayton states that the Charter specifies the flow of funds for water and clean water revenues but such Charter priorities do not conform to the priorities required by existing bond indentures. Under the proposed Charter Amendment, an exception would be added that provides that if the utility has a pre-existing bond indenture that specifies a different priority of funds, then the priority specified in the bond indenture would predominate. The PUC would be required to secure an independent engineer's analysis before issuing such revenue bonds. The PUC would be authorized to enter into agreements with other governmental entities, including the proposed San Francisco Bay Area Regional Financing Authority[3], in connection with financing and constructing capital projects that benefit San Francisco and its regional customers. Such agreements may provide for the issuance of debt on behalf of San Francisco.

(j) Give the Board of Supervisors the ability to establish a Citizen Advisory Committee if it is not duplicative of other existing committees. Existing law does not provide for such a committee.

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[2] Three-quarters approval of the Board of Supervisors is required for (a) compliance with State or Federal water and clean water orders, and (b) reconstruction or replacement of existing water facilities.

[3] Ms. Clayton states that the proposed San Francisco Bay Area Regional Financing Authority is currently being set up by the State Legislature (Spier 1870).

Comments:

1. The Attachment, provided by the PUC, summarizes the PUC's analysis of the costs and benefits of the proposed Charter Amendment.

2. Proposed Section 8B.121(e)(1) would provide for the General Manager to be appointed by the PUC, rather than by the Mayor choosing from a shortlist of three candidates chosen by the PUC as is the current practice[4], and to be employed under an individual contract, rather than as a member of the Municipal Executives Association, as is currently the case. The General Manager's compensation would be comparable to the compensation of United States chief executive officers of public water, waste water, and/or power systems, after an independent survey determines which positions most closely resemble the PUC. The proposed Charter Amendment does not specify by whom the independent survey would be conducted. In addition, the PUC shall provide an incentive compensation bonus plan for the General Manager based on performance goals established by the Commission.

3. The Budget Analyst notes that under this Charter Amendment, the PUC may not transfer surplus Hetch Hetchy funds to the City's General Fund. The last six years' transfers from Hetch Hetchy to the General Fund, were as follows:

Year	Hetch Hetchy Transfer to General Fund
FY 1996-97	$37,703,000
FY 1997-98	$45,703,000
FY 1998-99	$42,703,000
FY 1999-2000	$39,850,000
FY 2000-2001	$29,850,000
FY 2001-2002	$0
FY 2002-2003 (projected)	$0

[4] Under the Charter's existing Section 3.100(18), the Mayor has the power to appoint departmental heads, and under the Charter's existing Section 4.102(5), the PUC has the authority to submit three qualified candidates to the Mayor from which he can select the PUC General Manager.

4. The Budget Analyst notes that the subject Charter Amendment's proposal to permit the PUC to exercise greater independence in contracting, purchasing, and selecting providers of goods and services would permit the PUC to enter into certain contracts without Board of Supervisors review or approval.

5. In the Attachment, the PUC estimates costs for periodic cost-of-service based rate studies (up to $200,000 every five years), increased legal counsel (approximately $300,000 annually), and miscellaneous expenditures necessary to organize and run PUC meetings (approximately $10,000 annually). The PUC notes that there are various personnel matters for which costs cannot be readily quantified at this time.

6. As of the writing of this report, the Controller's Office has not completed their estimates of the cost of the proposed Charter Amendment. The Controller will be providing such estimates directly to the Rules and Audits Committee.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Hall
Supervisor Gonzalez
Supervisor Sandoval
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey

DATE: JUNE 20, 2002

TO: BOARD OF SUPERVISORS BUDGET ANALYST
FROM: BILL BERRY, ASSISTANT GENERAL MANAGER FOR FINANCE & ADMINISTRATION, SFPUC

SUBJECT: **RE: FILE 02-0887** - COSTS AND BENEFITS OF THE PROPOSED CHARTER AMENDMENT FOR WATER AND CLEAN WATER SERVICES

The Charter Amendment, which would establish a new article VIIIB by adding Sections 8B.120 - 128, amend sections 9.111-1 and 4.112, and delete section 16.103, articulates new and changed PUC oversight responsibilities, and ongoing administrative and management framework. From the perspective of SFPUC management, the following are the anticipated costs and benefits of this Charter Amendment.

COSTS

While the proposed changes would provide significant benefits as outlined below, they would nonetheless entail additional costs to effect a new PUC business model. It should be noted that the costs outlined herein do not represent an exhaustive list, but rather a compilation of certain known and obvious costs at this time. There are some items that the SFPUC cannot adequately quantify at this time, and potentially other unanticipated costs that could materialize in the future. The projected costs are as follows:

- **PERIODIC COST OF SERVICES STUDIES**

  The estimated cost of conducting a cost-of-service based rate study every five years is within a range of $120,000 to $200,000 per study.

- **INCREASED LEGAL COUNSEL COST**

  It is anticipated that legal counsel cost would increase by approximately $300,000 annually, consistent with the anticipated level of various contracts and agreements pursuant to the Charter Amendments.

- **RATE FAIRNESS BOARD**

  An annual cost of $10,000 is projected for miscellaneous expenditures necessary to organize and run the meetings of this board.

- **PERSONNEL COSTS**

  There are various other personnel related matters with costs that cannot be readily quantified at this time. The PUC will engage in a study and review of these personnel matters to come up with cost estimates. These include but not limited to; (a) benchmarking executives and managers salaries and bonuses to industry standards, (b) personnel cost of executing individual employment contracts, and (c) setting up and managing separate workers compensation program.

BENEFITS

The benefits of this proposed Charter Amendment would be significant, including:

- **IMPLEMENT BEST PRACTICE**

  The amendment provides the SFPUC with an efficient, effective and streamlined operating framework to conduct the water and clean water business consistent with best practice in the industry.

- **FUNDING FOR THE SFPUC'S CAPITAL IMPROVEMENT PROGRAM**

  The Charter Amendment would provide authorization, with Board of Supervisors approval, to issue Revenue Bonds and other forms of indebtedness to fund the SFPUC's recently approved CIP.

- **ENDING THE PROPOSITION H RATE FREEZE**

  The Charter Amendment would replace the rate freeze with a new mechanism for approving future rate increases. This is necessary to reverse the financial deterioration (low and declining reserve, potential deficit, and declining bond rating) that has particularly affected the Clean Water Enterprise.

- **MANAGEMENT FLEXIBILITY**

  The Charter Amendment would provide a number of specific reforms that would enhance the SFPUC's control over its operations, the ability to undertake the capital program, to efficiently manage operational and financial affairs, and to insure a high level of accountability in the performance of PUC business. It is expected that many of these reforms would enable the SFPUC to streamline the time and costs required to undertake hiring, contracting and other business activities, however, it is not possible to quantify the costs or potential savings at this time.

SUMMARY

As outlined, the foregoing represents SFPUC management projection of known costs and anticipated benefits of the Charter Amendments. These are by no means an exhaustive list as SFPUC is continuing to study the potential costs and benefits accruing to each enterprise and our customers as a result of these changes. SFPUC will update the BOS Budget Analyst and the members of the BOS with any new findings as additional information becomes available.

# # #

If you have any questions or desire additional information, please email me at wberry@puc.sf.ca.us or call me at (415) 554-2457.

Enclosures

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City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

[All Committees]
Government Document Section
Main Library

Wednesday, June 26, 2002 | **9:00 AM** | **City Hall, Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

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Meeting convened

The meeting convened at 9:19 a.m.

020882 **[Charter Amendment - Auditor General]**

Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 6.100 and adding Section 6.108 to create the Auditor General.

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

Heard in committee. Speakers: Supervisor McGoldrick; Supervisor Daly; Ted Lakey, Deputy City Attorney; Debra Newman, Budget Analyst's office; Ed Harrington, Controller; Paula Jesson, Deputy City Attorney; Ginny Vida, Executive Director, Ethics Commission; Jerry Threet, Aide to Supervisor McGoldrick; Female Speaker; Mr. Soloman; Doug Comstock, Coalition of San Francisco Neighborhoods.
Continued to July 5, 2002.

CONTINUED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

011957 **[Public Advocate]**

Supervisor Daly

Charter amendment (First Draft) to amend Section 6.100 and adding Section 6.108 to create the Public Advocate.

10/25/01, CONTINUED. Divided from File No. 011654.

Continued to November 1, 2001.

10/25/01, DIVIDED to Rules Committee.

11/1/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor Chris Daly, Richard Ow, Ron Miguel, Elmo Wedderburn; John Bardis.

Heard in committee. Speakers: Supervisor McGoldrick; Supervisor Daly, Ted Lakey, Deputy City Attorney; Debra Newman, Budget Analyst's office; Ed Harrington, Controller; Paula Jesson, Deputy City Attorney; Ginny Vida, Executive Director, Ethics Commission; Jerry Threet, Aide to Supervisor McGoldrick; Female Speaker; Mr. Soloman; Doug Comstock, Coalition of San Francisco Neighborhoods.
Continued to July 5, 2002

CONTINUED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020885 **[Charter Amendment - Parental Leave Compensation]**

Supervisors Daly, Gonzalez

Charter amendment (First Draft) to add Section A8.365 regarding compensation during parental leave.

(Fiscal impact.)

5/20/02. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee. expires on 6/19/2020.

Heard in committee. Speakers: Supervisor Daly; Gina Roccanova, City Attorney's office; Debra Newman, Budget Analyst's office; Ed Harrington, Controller; Alice Villagomez, Human Resources Department; Maria Gustory; Helenya Brooke.
Supervisor Gonzalez requested to be added as a co-sponsor.
Continued to July 5, 2002.

CONTINUED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020886 **[Charter Amendment - Homeless Policy]**

Supervisor Daly

Charter amendment (Second Draft) to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same any fiscal year in which such enactment was adopted; to add Section 4.134 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee. expires on 6/19/2002.

6/10/02, SUBSTITUTED. Supervisor Daly presented a substitute Charter Amendment (Second Draft) bearing new title.

6/12/02. ASSIGNED to Rules and Audits Committee.

6/13/02, CLERICAL CORRECTION. Clerical corrections by attorney to change Section "4.132" to "4.134"

Speakers: None
Continued to July 5, 2002.

CONTINUED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020883 **[Charter Amendment - Authority to Appoint the Director of Public Works]**

Supervisor Gonzalez

Charter amendment (Second Draft) to amend Sections 3.104 and 4.130 and add a new Section 4.130-1 to transfer the authority to appoint the Director of Public Works from the City Administrator to the Mayor, set forth specific duties for the Department of Public Works, and to establish a Public Works Commission consisting of eleven members appointed by the Board of Supervisors to oversee the Department of Public Works.

5/20/02. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee. expires on 6/19/2002.

6/17/02. SUBSTITUTED. Supervisor Gonzalez submitted a substitute Charter Amendment (Second Draft) bearing same title.

6/17/02, ASSIGNED to Rules and Audits Committee.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020884 [Charter Amendment - Board of Supervisors]

Supervisor Gonzalez

Charter amendment (First Draft) to amend Section 2.100 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Supervisors' salary will be set by the Civil Service Commission once every five (5) years. The Civil Service Commission will consider salaries in other California City Councils and County Boards of Supervisors, and may also consider the Consumer Price Index (CPI).

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

Heard in committee. Speakers: Paul Melbastat, Ethics Commission; Ginny Vida, Executive Director, Ethics Commission; Bob Planthold; Rob Eshelman, Aide to Supervisor Gonzalez; Ed Harrington, Controller.
6/26/02 Amendment of the whole bearing new title.
Continued to July 5, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to amend Section 2.100 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Civil Service Commission shall set the Supervisors' salary once every five (5) years. The Civil Service Commission must consider salaries of other California City Councils and County Boards of Supervisors, and may also consider the Consumer Price Index (CPI).

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

010961 [Member, Board of Supervisors]

Supervisor Gonzalez

Charter amendment (First Draft) to amend Section 2.100, add Section 15.109 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Supervisors' salary will be set by the Ethics Commission. The Ethics Commission will receive and consider a survey regarding salaries of comparable public sector positions found in the State of California, and will review and reconsider the Supervisors' salary every two years.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Kate Favetti, Executive Director, Civil Service Commission.

10/23/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Kate Favetti, Executive Director, Civil Service Commission; Frederick Hobson; Chris Bowman; Ginny Vida, Executive Director, Ethics Commission, John Kennedy, Deputy City Attorney; Charlie Marsteller.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

Speakers: None.

FILED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020649 **[Urging Bechtel Corporation to withdraw their punitive legal claim]**

Supervisors Gonzalez, Daly

Resolution urging Bechtel Corporation and its Bolivian subsidiary, Aguas del Tunari, to immediately withdraw their punitive legal claims in international courts against Bolivia and its people and to abstain from engaging in any further litigation or mediation claims - either within or without U.S. borders - with the South American country.

4/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
4/29/02. REFERRED to Rules and Audits Committee. Supervisor Gonzalez requested this matter be severed so it could be considered separately.

Supervisor Gonzalez requested this item be referred to committee.
5/21/02. CONTINUED TO CALL OF THE CHAIR. Speakers: None.

Heard in committee. Speakers: Jim Schultz, Executive Director, Democracy Center; Ms. Kelly, Director, California office of Public Citizens; John Kennedy, Deputy City Attorney.
6/26/02 Amended on page two, line 10, after "Whereas" delete "Bechtel has" and insert "at the time of its activity in Cochabamba Bechtel was part of"

AMENDED.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

ADJOURNMENT

The meeting adjourned at 2:38 p.m.

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1/26/02

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

June 21, 2002

TO: Rules and Audits Committee

FROM: Budget Analyst

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JUN 25 2002

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SUBJECT: June 26, 2002 Rules and Audits Committee Meeting

Item 1 - File 02-0882

Proposed Charter Amendment: Charter Amendment amending Article VI, Section 6.100 and adding Section 6.108 to create the Auditor General.

Draft: First

Charter Sections Affected: Article VI, Sections 6.100, and 6.108

Description: The proposed Charter Amendment would create a new Auditor General position. Under the proposed Charter Amendment, Article V, Section 6.100 would be amended to add "Auditor General" to the City and County of San Francisco officers that are required to be elected. The Auditor General would be elected to a four-year term, commencing in November of 2003, as are other elected officials, including the Assessor-Recorder, the City Attorney, the District Attorney, the Public Defender, the Sheriff, and the Treasurer.

The role of the Auditor General would be to:

- Review complaints submitted by groups and individuals regarding City services and programs that are recurring, multi-neighborhood, or Citywide, and make recommendations to improve the City's response to such complaints.
- Receive, investigate, and attempt to resolve individual complaints regarding City services and administrative actions of City agencies, except for those which (i) another City agency is required by law to adjudicate, (ii) may be resolved through a grievance mechanism established by collective bargaining agreement or contract, or (iii) involve allegations of conduct which may constitute a violation of criminal law or a governmental ethics law.
- Inquire, on the request of a resident, taxpayer, neighborhood organization, elected official, or by his or her own motion, into any alleged failure by a City officer or agency to comply with any provision of the Charter, except for those matters which involve conduct which may constitute a violation of criminal law or a governmental ethics code. If the Auditor General concludes that there is any substantial failure to comply with any provision of the Charter, the Auditor General will submit a preliminary report to the City official or agency involved in the inquiry and submit a final report to the Board of Supervisors, Mayor and City agency documenting the conclusions of the inquiry.
- Serve as a non-voting ex-officio member of City Commissions and committees of the Board of Supervisors, including introducing legislation to improve City programs and services. The Auditor General may attend closed sessions of the Board of Supervisors and City Commissions, except for those sessions pertaining to personnel matters or closed Ethics Commission sessions pertaining to the Auditor General.
- Establish programs and initiatives to assist underserved communities in gaining access to government.

Under the proposed Charter Amendment, the Auditor General would be required to refer any allegation or complaint that may constitute a violation of criminal law or a governmental ethics law to the District Attorney or Ethics Commission, respectively. Additionally, when conducting an inquiry, the Auditor General would be required to provide a draft report of the findings to the City official or agency involved in the inquiry and include any comments by the City official or agency in the final public report. Under the proposed Charter Amendment, the Auditor General could hold public hearings in the course of fulfilling the obligations of the office of the Auditor General and would be required to present to the Board of Supervisors prior to October 31 of each year a report on the activities of the office of the Auditor General during the preceding fiscal year.

Comments:

1. The Public Advocate for New York City, established in 1994, is a comparable elected official to the proposed Charter Amendment's Auditor General. The New York City Public Advocate, who is elected for a term of four years, serves as (a) an ombudsman responsible for resolving individual grievances, investigating and reporting on recurring and citywide grievances, performing discretionary reviews of city agencies, and monitoring the public information and service complaint programs of city agencies and (b) the presiding officer of the City Council but votes only in the case of a tie. The Budget Analyst notes that the New York City Public Advocate differs from the proposed Auditor General, that would be created by the proposed Charter Amendment, in that, under the proposed Charter Amendment, the proposed Auditor General would not preside over the Board of Supervisors or have voting privileges and would not be responsible for performing discretionary reviews of City agencies. Another difference in the two positions is that the New York Public Advocate does not have jurisdiction over grievances arising under collective bargaining agreements, violations of criminal law, or evidence of conflicts of interest, which would be part of the responsibilities of the Auditor General under the proposed Charter Amendment. New York City agencies are also required to respond to the Public Advocate's requests for documents in a timely fashion. Under the

proposed Charter Amendment, which contains a comparable provision, the Auditor General would have timely access to all records and documents which the Auditor General deems necessary to complete an inquiry.

2. The proposed Charter Amendment does not identify any staffing levels, or costs required to implement the proposed Auditor General. However, according to the Controller's Office, the New York City Office of the Public Advocate contains approximately 35 full-time staff and has a FY 2001-02 budget of approximately $2,600,000. The New York City Office of the Public Advocate includes community liaison staff, policy analysts for education and health, research and investigation staff, ombudsmen, and support staff. According to the New York City Office of the Public Advocate, the cost of the Office per New York City resident is $0.30 per person per year[1]. Based on this estimate of $0.30 per person per year, the Budget Analyst notes that a comparable Office of the Auditor General in San Francisco would cost approximately $233,020 per year, based on San Francisco's 2000 U.S. Census population of 776,733.[2]

3. As noted in the Attachment provided by the Controller's Office, the Controller estimates that the salary and fringe benefit costs of the proposed Auditor General would be approximately $170,000 per year. The Controller has not made a specific cost estimate at this time for an Office of the Auditor General, including support and professional staff.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

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[1] Green, Mark, and Eisner, Laurel M., "The Public Advocate for New York City: An Analysis of the Country's Only Elected Ombudsman", *New York Law School Law Review, Volume 42, Numbers 3 and 4, 1998.*

[2] According to the 2000 United States Census , the population of the City and County of San Francisco is 776,733.

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLER

Edward Harrington
Controller

June 19, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 020882
Proposed Charter Amendment to create an elected Office of the Auditor General

Dear Ms. Young:

Should the proposed charter amendment be approved by the voters, in my opinion, there would be an increase, in an unknown amount, in the cost of government associated with establishing the new position of Auditor General. The costs associated with the new position would include, at minimum, the Auditor General's salary and fringe benefits at approximately $170,000 per year.

In addition, the Auditor General would require support and professional staff to carry out the functions of receiving, investigating and resolving citizen complaints, establishing programs to assist underserved communities to gain access to government, conduct public hearings if required, as well as providing annual reports. The operating cost of the department would vary greatly depending on how these functions are carried out. For comparative purposes, the Public Advocate's Office for the City of New York, which has many of the functions specified under the proposed amendment, has a Fiscal Year 2001-2002 operating budget of approximately $2.6 million and a staff of approximately 35 full time employees to serve a population approximately eight times the size of San Francisco. A more specific cost estimate can be developed when further information is available on the proposed configuration of the new department.

Sincerely,

Ray Stevenson

for Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

554-7500 City Hall • 1 Dr. Carlton B. Goodlett Place • Room 316 • San Francisco CA 94102-4694 FAX 415-554-7466

Item 2 - File 01-1957

Note: File 01-1957 was continued from the November 1, 2001 Special Rules Committee meeting.

Proposed Charter Amendment: Charter Amendment amending Article VI, Section 6.100 and adding Section 6.108 to create the Public Advocate.

Draft: Second

Charter Sections Affected: Article VI, Sections 6.100, and 6.108

Description: The proposed Charter Amendment would create the Public Advocate. Under the proposed Charter Amendment, Article V, Section 6.100 would be amended to add "Public Advocate" to the City and County of San Francisco officers required to be elected. The Public Advocate would be elected to a four-year term, commencing in November of 2003, in the same manner as other elected officials, including the Assessor-Recorder, the City Attorney, the District Attorney, the Public Defender, the Sheriff, and the Treasurer. The role of the Public Advocate would be to:

- Review complaints regarding City services and programs that are recurring, multi-neighborhood, or Citywide, and make recommendations to improve the City's response to such complaints.
- Receive, investigate, and attempt to resolve individual complaints regarding City services and administrative actions of City agencies, except for those which (i) another City agency is required by law to adjudicate, (ii) may be resolved through a grievance mechanism established by collective bargaining agreement or contract, or (iii) involve allegations of conduct which may constitute a violation of criminal law or a governmental ethics law.
- Inquire, on the request of a resident, taxpayer, neighborhood organization, elected official, or by his or her own motion, into any alleged failure by a City officer or agency to comply with any provision of the Charter, except for those matters which involve

conduct which may constitute a violation of criminal law or a governmental ethics code. If the Public Advocate concludes that there is any substantial failure to comply with any provision of the Charter, the Public Advocate will submit a preliminary report to the City official or agency involved in the inquiry and submit a final report to the Board of Supervisors, Mayor and City agency documenting the conclusions of the inquiry.

- Serve as a non-voting ex-officio member of City Commissions and committees of the Board of Supervisors, including introducing legislation to improve City programs and services. The Public Advocate may attend closed sessions of the Board of Supervisors and City Commissions, except for those sessions pertaining to personnel matters or closed Ethics Commission sessions pertaining to the Public Advocate.
- Establish programs and initiatives to assist underserved communities in gaining access to government.

Under the proposed Charter Amendment, the Public Advocate would be required to refer any allegation or complaint that may constitute a violation of criminal law or a governmental ethics law to the District Attorney. Additionally, when conducting an inquiry, the Public Advocate would be required to provide a draft report of the findings to the City official or agency involved in the inquiry and include any comments by the City official or agency in the final public report. Under the proposed Charter Amendment, the Public Advocate could hold public hearings in the course of fulfilling the obligations of the office of the Public Advocate and would be required to present to the Board of Supervisors prior to October 31 of each year a report on the activities of the office of the Public Advocate during the preceding fiscal year.

Comments:

1. The Public Advocate for New York City is an elected position, established in 1994. The New York City Public Advocate, who is elected for a term of four years, serves as (a) the presiding officer of the City Council but votes only in the case of a tie, and (b) an ombudsman responsible for resolving individual grievances, investigating and

reporting on recurring and citywide grievances, performing discretionary reviews of city agencies, and monitoring the public information and service complaint programs of city agencies. The Budget Analyst notes that the New York City Public Advocate differs from the Public Advocate, created by the proposed Charter Amendment, in that, under the proposed Charter Amendment, the proposed Public Advocate would not preside over the Board of Supervisors or have voting privileges and would not be responsible for performing discretionary reviews of City agencies. The New York Public Advocate does not have jurisdiction over grievances arising under collective bargaining agreements, violations of criminal law, or evidence of conflicts of interest, which is comparable to the jurisdiction of the Public Advocate under the proposed Charter Amendment. New York City agencies are also required to respond to the Public Advocate's requests for documents in a timely fashion. Under the proposed Charter Amendment, which contains a comparable provision, the Public Advocate would have timely access to all records and documents which the Public Advocate deems necessary to complete an inquiry.

2. The proposed Charter Amendment does not identify any staffing levels, or costs required to implement the proposed Auditor General. However, according to the Controller's Office, the New York City Office of the Public Advocate contains approximately 35 full-time staff and has an annual budget of approximately $2,200,000. The New York City Office of the Public Advocate includes community liaison staff, policy analysts for education and health, research and investigation staff, ombudsmen, and support staff. According to the New York City Office of the Public Advocate, the cost of the Office per New York City resident is $0.30 per person per year[1]. Based on this estimate of $0.30 per person per year, the Budget Analyst notes that a comparable Office of the Auditor General in San Francisco would cost approximately $233,020 per

[1] Green, Mark, and Eisner, Laurel M., "The Public Advocate for New York City: An Analysis of the Country's Only Elected Ombudsman", *New York Law School Law Review, Volume 42, Numbers 3 and 4, 1998.*

year, based on San Francisco's 2000 U.S. Census population of 776,733.[2]

3. As noted in the Attachment provided by the Controller's Office, the Controller estimates that the salary and fringe benefit costs of the proposed Public Advocate would be approximately $170,000 per year. The Controller has not made a specific cost estimate at this time for an Office of the Public Advocate, including support and professional staff.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

[2] According to the 2000 United States Census , the population of the City and County of San Francisco is 776,733.

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLER

Edward Harrington
Controller

June 19, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 011957
Proposed Charter Amendment to create an elected Office of the Public Advocate

Dear Ms. Young:

Should the proposed charter amendment be approved by the voters, in my opinion, there would be an increase, in an unknown amount, in the cost of government associated with establishing the new position of Public Advocate. The costs associated with the new position would include, at minimum, the Public Advocate's salary and fringe benefits at an approximate cost of $170,000 per year.

In addition, the Public Advocate would also require support and professional staff to carry out the functions of receiving, investigating and resolving citizen complaints, establishing programs to assist underserved communities to gain access to government, as well as providing annual reports. The operating cost of the department would vary greatly depending on how these functions are carried out. For comparative purposes, the Public Advocate's Office for the City of New York, which has many of the functions specified under the proposed amendment, has a Fiscal Year 2001-2002 operating budget of approximately $2.6 million and a staff of approximately 35 full time employees to serve a population approximately eight times the size of San Francisco. A more specific cost estimate can be developed when further information is available on the proposed configuration of the new department.

Sincerely,

Ed Harrington

for Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

415-554-7500 City Hall • 1 Dr. Carlton B. Goodlett Place • Room 316 • San Francisco CA 94102-4694 FAX 415-554-7466

Item 3 - File 02-0885

Proposed Charter Amendment: Charter Amendment adding Section A8.365 to provide supplemental compensation for up to 16 weeks for eligible City employees on parental leave for temporary pregnancy disability or the birth, adoption or placement of a foster care child with a City employee's family.

Draft: First

Charter Sections Affected: Section A8.365

Description: Currently, under Federal and State law and the City's Civil Service rules, the City provides unpaid leave for eligible City employees who are (a) temporarily disabled by pregnancy[1], or who (b) take time off following the birth, adoption or placement of a foster care child with an employee's family to care for the child.

Ms. Gina Roccanova of the City Attorney's Office advises that under Federal and State law a person requesting leave following the birth, adoption or placement of a foster care child with an employee's family must have worked at least 1,250 hours in the previous 12 months and have worked at least 12 consecutive months to be eligible for family medical leave. Ms. Roccanova states that to be eligible for family care leave under the City's Civil Service rules to care for a child following the birth, adoption or placement of a foster care child, an employee must have worked one or more years of continuous service in any Civil Service status. Ms. Roccanova advises that there is no minimum previous employment time requirement for unpaid pregnancy disability leave.

According to Ms. Roccanova, under the Federal Family Medical Leave Act, an employee is eligible

[1] Temporary pregnancy disability is defined as an employee's inability to work, as certified by a healthcare professional, for reasons related to pregnancy, child birth or related conditions.

for up to 12 weeks of leave following the birth, adoption or placement of a foster care child and under State law, if an employee is disabled by pregnancy the employee is eligible for up to an additional four months of leave. Ms. Roccanova advises that under the City's Civil Service rules, eligible City employees can take up to one year of leave for pregnancy disability or to care for a child after the birth, adoption or placement of a foster care child.

Currently, Ms. Roccanova advises that for pregnancy disability leave, if a City employee has any accrued paid leave, including sick leave and vacation credits, the employee can use such paid leave during the employee's period of pregnancy disability leave. However, after accrued paid leave is exhausted, any remaining leave used is unpaid. Ms. Roccanova advises that such employees may also be eligible for State Disability Insurance (SDI)[2] pay during the period of unpaid leave, if the employee's medical condition has been certified by a healthcare professional.

Ms. Roccanova states that currently City employees who take leave to care for a child following the birth, adoption or placement of a foster care child but who are not on pregnancy disability leave, may, and in some cases are required to, take accrued paid leave (for example, vacation credits, administrative leave and floating holidays) during their time off, but are not permitted to use sick leave. After accrued paid leave is exhausted, any remaining leave used to care for a child following the birth, adoption or placement of a foster care child is unpaid.

The proposed Charter Amendment would add Section A8.365 to:

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[2] California State Disability Insurance (SDI) is a partial wage-replacement insurance plan for California workers. The SDI program is funded through employee payroll deductions. SDI provides short-term benefits to eligible workers who suffer a loss of wages when they are unable to work due to a non-work-related illness or injury, or a medically disabling condition from pregnancy or childbirth.

- Supplement an employee's accrued paid leave and SDI benefits for up to, but no more than 16 weeks for eligible City employees on parental leave for temporary pregnancy disability or the birth, adoption or placement of a foster care child with an employee's family.
- Establish eligibility guidelines and limitations for supplemental pay during parental leave.
- Call for an agreement to be executed between the City and a given employee to consider such supplemental pay a loan if a given employee does not work for the City for at least six months after returning from parental leave. The loan would be payable to the City with interest in equal monthly installments not to exceed five years, commencing 30 days after an individual's separation from City employment.

If the proposed Charter Amendment is approved by the voters in November of 2002, it would become effective on July 1, 2003.

Comments:

1. The following employees would be eligible for supplemental pay while on approved parental leave: (1) permanent, provisional and exempt employees whose normal work week is not less than 20 hours upon completion of six months of continuous service with the City; and, (2) all other employees, including as-needed employees, who have worked 1,040 hours in the 12 months prior to the beginning of the approved parental leave and whose average work week is not less than 20 hours.

2. Under the proposed Charter Amendment, qualified employees on approved parental leave would receive no more than their regular base pay for up to 16 weeks subject to the following conditions: (a) the employees must first exhaust all accrued paid leave (for example, administrative leave and floating holidays), other than vacation, before receiving any supplemental pay while on parental leave but if they choose not to exhaust such leave, then that time would be deducted from

the supplemental pay; (b) the amount of the supplemental pay would be reduced by any payments received by the employee from a Federal, State or other local government agency or any paid leave not exhausted as of the start date of the parental leave; and, (c) the 16-week period would be reduced by any paid leave, other than vacation, taken for purposes of the proposed Charter Amendment within the 12 months prior to the current parental leave request.

3. As noted above, under the proposed Charter Amendment, any individual receiving the proposed supplemental pay would be required to execute an agreement with the City that stipulates that if he or she does not work for the City for at least six months after returning from parental leave, such supplemental pay would be considered a loan, payable with interest to the City. The interest rate on the loan would be at a rate equal to the greater of (i) the rate of interest received for the concurrent period by the Treasurer's Cash Account[3]; or (ii) the minimum amount necessary to avoid imputed income under the Internal Revenue Service Code of 1986, as amended from time to time or any successor statute.

4. Under the proposed Charter Amendment, during parental leave, the City would continue to pay for the employee's retirement and health benefits. Retirement contributions would be based on the actual amount of City pay received while on the approved parental leave, excluding outside payments such as State Disability Insurance. Ms. Clare Murphy of the Employee Retirement System advises that the additional pension related costs would be 7.5 percent of the supplemental pay. However, as of the writing of this report, Ms. Murphy is uncertain what the additional supplemental pay is estimated to be, therefore, she

[3] Mr. Tom Carrick of the Treasurer/Tax Collector's Office states that the Treasurer's Pooled Cash Account consists of non-dedicated investment funds, which will be expended by the City within approximately six months of such investment. Mr. Carrick advises that interest earned on the Treasurer's Pooled Cash Account for April of 2002 is 3.298 percent.

cannot estimate the additional pension costs. Ms. Roccanova advises that currently during unpaid leave, the City does not pay for retirement benefits. Ms. Roccanova further advises that under the City's Administrative Code, Section 16.701 (b), the City pays for its share the health benefits for City employees who are on unpaid leave for only the first 12 weeks of such leave. In addition, for employees who are on approved personal leave following family care leave, the City would continue to pay its share of such health benefits.

5. Ms. Roccanova advises that currently the City does not maintain any centralized records of the amount of time taken for pregnancy disability, the birth or adoption of a child or the placement of a foster child with an employee's family. Rather such records are managed by individual City departments.

6. As of the writing of this report, the Controller has not completed their estimates of the cost of the proposed Charter Amendment. The Controller will be providing such estimates directly to the Rules and Audit Committee.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Item 4 - File 02-0886

Proposed Charter Amendment: Charter Amendment adding Sections 2.105-1 and 4.132 and amending Section 10.104 to (1) require a vote of not less than two-thirds of the members of the Board of Supervisors to change any ordinance or resolution that establishes or implements homeless policy or services within the same fiscal year in which such ordinance or resolution was adopted, (2) establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy, and (3) authorize not more than five staff members for the Local Homeless Coordinating Board who shall be exempt from Civil Service rules.

Draft: First

Charter Sections Affected: Sections 2.105-1, 4.132 and 10.104

Description: The proposed Charter Amendment, if approved by the voters, would:

(a) require a two-thirds vote of the Board of Supervisors to repeal or make a material substantive amendment to an ordinance or resolution establishing or implementing homeless policies and/or services in the same fiscal year in which the original ordinance or resolution was adopted;
(b) establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation, and evaluation of homeless policy; and
(c) authorize the creation of up to five staff positions, which would be exempt from the Civil Service, to provide research, policy analysis, and administrative support for the Local Homeless Coordinating Board.

The proposed Charter Amendment would create new requirements for the introduction and passage of resolutions and ordinances establishing or implementing homeless policies and services. First, the proposed Charter Amendment would require a two-thirds vote of the Board of Supervisors to overturn or amend existing legislation regarding homeless policies and services which had been adopted in the same fiscal year. Second, the proposed Charter Amendment would authorize the President of the Board of Supervisors to determine whether a proposed ordinance or resolution establishes or implements homeless policies and/or services. This decision may be overruled by a Board of Supervisors motion adopted by a two-thirds vote. Third, the proposed Charter Amendment would require that all departments, boards, agencies and commissions submit proposed legislative and budget actions related to homelessness to the Local Homeless Coordinating Board for review and comment prior to adoption of any new legislation or budget action.

The proposed Charter Amendment would establish a new Local Homeless Coordinating Board as an advisory body to the Mayor and the Board of Supervisors. The proposed new Local Homeless Coordinating Board replaces the existing Local Homeless Coordinating Board, which was established by a Board of Supervisors resolution in August of 1997 to comply with the Federal Housing and Urban Development (HUD) requirement that cities and counties receiving Federal homeless funds establish a Local Homeless Coordinating Board. Under the proposed Charter Amendment, the Local Homeless Coordinating Board would review and comment on all proposed homeless policies, advise on implementation of such policies, and evaluate the effectiveness of proposed policies. As noted above, the proposed Charter Amendment requires that City departments, boards, agencies and commissions submit all proposed legislation and budgetary actions on homeless policy and

services to the Local Homeless Coordinating Board for review and comment prior to enactment and with sufficient advance notice to allow the Local Homeless Coordinating Board to conduct its review and comply with all public meeting laws. Under the proposed Charter Amendment, if the Local Homeless Coordinating Board fails to respond in a timely matter, the lack of response shall be deemed as disapproval of the particular matter. The proposed Charter Amendment authorizes the Chair of the Local Homeless Coordinating Board to decide whether a legislative or budget action submitted to the Local Homeless Coordinating Board is a homeless policy. This decision may be overruled by a motion of the majority of the Local Homeless Coordinating Board.

Finally, the proposed Charter Amendment would authorize the Local Homeless Coordinating Board to appoint up to five Civil Service exempt positions, which would be included in the DHS annual budget beginning in FY 2003-04. These positions would serve as support positions for the Local Homeless Coordinating Board, including research, policy analysis and administrative support.

Comments:

1. As noted above, the proposed Charter Amendment authorizes the President of the Board of Supervisors to determine whether a proposed ordinance or resolution establishes or implements homeless policies and/or services, and the Chair of the Local Homeless Coordinating Board to determine whether a legislative or budget action submitted to the Local Homeless Coordinating Board is a homeless policy. Under the proposed Charter Amendment, "homeless" is defined as "people who lack fixed, regular and adequate nighttime residences and who have their primary nighttime residences in one or more of the following categories: shelters, streets, vehicles, make-shift housing, doubled-up housing, and transitional housing; or who are about to be evicted or released from institutions and who have no viable alternative residences."

2. Currently, the Local Homeless Coordinating Board is a 34-member body, including 15 members appointed by the Mayor, 11 members appointed by the Board of Supervisors, and 8 members designated by City Departments. The new proposed Local Homeless Coordinating Board would consist of 22 members who would be appointed as follows: (a) each member of the Board of Supervisors would appoint one member of the Local Homeless Coordinating Board, for a total of 11 Local Homeless Coordinating Board members appointed by the Board of Supervisors, (b) the Mayor would appoint 9 members including one representative from the Mayor's Office and eight representatives from the community, and (c) the Directors of the Department of Human Services (DHS) and the Department of Public (DPH) or their designees would be ex officio members. All members, with the exception of the two ex officio members, would serve one two-year term. However, all terms, except for those of the ex officio members, would expire upon the expiration of the term of the appointing officers.

3. As previously noted, the Board of Supervisors and all departments, boards, agencies and commissions would submit proposed legislative and budget actions related to homelessness to the Local Homeless Coordinating Board for review and comment before adoption of any new measures by the Board of Supervisors. The Local Homeless Coordinating Board would hold regular public meetings and would provide an annual written report to the Mayor and the Board of Supervisors by November 30th of each year.

4. Currently, the Mayor's Office of Community Development (MOCD) budget includes $70,791 for the Local Homeless Coordinating Board, including $65,791 in salary and fringe benefit costs for one position to provide administrative support and $5,000 for related supplies, postage and telecommunication costs.

5. Under the proposed Charter Amendment, five new Civil Service exempt positions would serve as staff members to the Local Homeless Coordinating Board and would be included in the DHS annual budget. The proposed Charter Amendment does not specify if these five positions would include the existing MOCD administrative support position.

However, in a report prepared by the Controller's Office on May 15, 2002, the Controller recommended increasing the staff of the Local Homeless Coordinating Board from the current one position to three full-time positions, including a policy and data analyst, a grant writer, and an administrative assistant.[1] Further, the Controller recommended that the Mayor's Office on Homelessness could fund some portion of these positions from its existing budget, and that these positions should be in the DHS budget but be permanently assigned to the Local Homeless Coordinating Board. Although the Controller's report recommends a total of three positions, the proposed Charter Amendment would add up to five positions, which would be Civil Service exempt positions and would be added to the list of Civil Service exempt positions in the City Charter. Such Civil Service exempt positions are excluded from competitive Civil Service selection, appointment and removal procedures.

4. As noted in the Attachment provided by the Controller's Office, the Controller estimates that the cost of the proposed Charter Amendment is approximately $519,000 annually.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

[1] "Homeless Services: The City Lacks Commonly Accepted Goals and an Effective Plan for its Homeless Services", prepared by the Office of the Controller, May 15, 2002.

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLER

Edward Harrington
Controller

June 19, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 020886
Charter Amendment related to homeless policy, including requiring a two-thirds (2/3) vote of the Board to change any enactment regarding homeless policy within the same fiscal year in which such enactment was adopted, and establishing the Local Homeless Coordinating Board supported by not more than five (5) staff members.

Dear Ms. Young:

Should the proposed charter amendment be placed on the ballot, in my opinion, there would be an increase in the cost of government. The Charter Amendment specifies that the Local Homeless Coordinating Board will have 22 members and up to five staff members. The estimated costs associated with the new Board and its staff would be approximately $519,000 per year.

The cost associated with the proposed five (5) additional staff members of could be up to $484,000 annually: this cost assumes a senior manager, a senior analyst, two junior analysts and an administrative assistant. The cost of a 22-member Board could vary greatly depending on how the Board functions; however the annual operating cost may be comparable to those of a City commission at approximately $35,000.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 5 - File 02-0883

Proposed Ballot Measure:	Charter Amendment amending Sections 3.104 and 4.130 and adding a new Section 4.130-1 to (a) transfer the authority to appoint the Director of Public Works from the City Administrator to the Mayor, (b) set forth specific duties for the Department of Public Works, and (c) establish a Public Works Commission consisting of eleven members appointed by the Board of Supervisors to oversee the Department of Public Works.
Draft:	First
Sections Affected:	Sections 3.104 and 4.130

Description:

The proposed Charter Amendment, if approved by the voters, would (a) transfer authority to the Mayor from the City Administrator to appoint the Director of Public Works, and (b) establish an eleven member Public Works Commission, appointed by the Board of Supervisors, to oversee the Department of Public Works.

Currently, the Charter gives the City Administrator the authority to appoint the Director of Public Works and to coordinate capital improvement and construction projects, except capital projects under the jurisdiction of another board or commission.[1] Under the proposed Charter Amendment, the Mayor would appoint the Director of Public Works, and the Director of Public Works would coordinate and administer all capital improvement and construction projects, except those projects that the Charter places under the exclusive jurisdiction of another board or commission.

Additionally, under the proposed Charter Amendment, each member of the Board of Supervisors would appoint one member to an eleven member Public Works Commission, subject to the approval of the majority of the Board of Supervisors. The Public Works Commission would be responsible for:

[1] Currently, the Airport, the Port, the Public Utilities Commission, the Municipal Transportation Agency, the Recreation and Parks Commission, the Asian Art Museum, the Fine Arts Museums, and the War Memorial and Performing Arts Center have independent authority under the Charter to enter into construction contracts.

- entering into and awarding contracts for public work and construction projects that are not under the jurisdiction of another board or commission;
- implementing and managing financial plans, rate analyses, accounting records, contracts, grants, budgets and other activities to support the Public Works Commission and the Director of Public Works;
- operations, repair and maintenance of City facilities that are not under the jurisdiction of other boards or commissions;
- construction, reconstruction and maintenance of City streets and right-of-way; and
- advising the Board of Supervisors on the Department of Public Works budget.

Comments:

1. The proposed Charter Amendment provides that the Mayor shall appoint the Director of Public Works, who would serve at the pleasure of the Mayor. Under the proposed Charter Amendment, the Mayor may request assistance from the Public Works Commission in selecting candidates for the Director position, but the Public Works Commission will not have the same authority as other City Commissions, granted under Charter Section 4.102(5), to submit to the Mayor the names of qualified applicants for the Director position. Under the proposed Charter Amendment, the Director of Public Works appointment by the Mayor would not be subject to Board of Supervisors approval.

2. Under the proposed Charter Amendment, the Director of Public Works would be responsible for coordinating and administering all capital improvement and construction projects, including preparing plans, estimates and construction administration services, except those projects that are under the exclusive jurisdiction of another board or commission, and providing information and data to the Board of Supervisors when requested. Additionally, the Director of Public Works would serve or designate another Public Works employee to serve as the City Engineer, which is an existing position under Administrative Code Section 2A.190.

3. Under the proposed Charter Amendment, each member of the Board of Supervisors would appoint a member to

the Public Works Commission for a two-year term. The Commission member's term would terminate in less than two years if a newly elected member to the Board of Supervisors appoints a new Commission member for the Supervisor's district.

4. The proposed Charter Amendment authorizes the Supervisor who appointed a Commission member to suspend or dismiss the Commission member for misconduct, in accordance with procedures set forth in Charter Section 15.105. This provision differs from other City Commissions, by authorizing the appointing Supervisor, rather than the Mayor, to suspend a Commission member, appoint a new Commission member during the suspension, and present charges against the suspended Commission member. Further, the proposed Charter Amendment authorizes the Board of Supervisors to remove a Commission member without cause, upon the request of the appointing Supervisor.

5. As noted above, under the proposed Charter Amendment, the Public Works Commission has authority to enter into and award construction contracts. Under the proposed Charter Amendment, the Commission could delegate the award of contracts up to $5,000,000 to the Director of Public Works. The Board of Supervisors may adopt an ordinance, permitting the Public Works Commission to delegate authority to the Director of Public Works to award contracts of more than $5,000,000.

6. As noted in the Attachment provided by the Controller's Office, the Controller estimates that the cost of the proposed Charter Amendment would be approximately $116,000 annually for a Commission Secretary and related costs.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLER

Edward Harrington
Controller

June 19, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 020883
Charter Amendment to transfer authority to appoint the Director of Public Works from the City Administrator to the Mayor, and to establish a Public Works Commission consisting of eleven members appointed by the Board of Supervisors to oversee the Department of Public Works.

Dear Ms. Young:

Should the proposed Charter Amendment be approved by voters, in my opinion, there would be an increase in the cost of government. The Charter Amendment specifies the creation of an eleven member Public Works Commission. The estimated cost associated with providing a Commission secretary and funding the cost of meetings, public notices, and other Commission requirements would be approximately $116,000 per year.

Sincerely,

for Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 6 - File 02-0884

Proposed Ballot Measure: Charter Amendment amending Section 2.100 to provide that the job of a member of the Board of Supervisors is a full-time position and to provide that the Supervisors' salary will be set by the Civil Service Commission once every five years, by considering the salaries of other California City Councils and County Boards of Supervisors and may also consider the Consumer Price Index (CPI).

Draft: First

Section Affected: Section 2.100

Description: The proposed Charter Amendment would amend Section 2.100 of the City's Charter to state that the job of each member of the Board of Supervisors is a full-time position and that the Supervisors' salary would be set by the Civil Service Commission once every five years. In accordance with the proposed Charter Amendment, before the Civil Service Commission determines the Supervisors' salary, the Civil Service Commission shall receive and consider a salary survey of California City Councils and County Boards of Supervisors, conducted by the Department of Human Resources. In addition, the Civil Service Commission may consider the Consumer Price Index (CPI) when determining the Supervisors' salaries.

As stated in the proposed Charter Amendment, the Civil Service Commission would be responsible for transmitting the Supervisors' salary determination on a timely basis to the Controller. The Controller would then be responsible for (1) setting aside the necessary funding, and (2) including the new Supervisors salaries in the appropriate budget documents for implementation. The proposed Charter Amendment also requires the Civil Service Commission to establish dates for an appropriate five-year cycle for making the determinations required by these Charter provisions, in order to efficiently coordinate with the City's budget processes and related procedures, such that the initial determination may be for less than a five-year period.

In accordance with the proposed Charter Amendment, no one except the Civil Service Commission may change the Supervisors' salary determination.

The proposed Charter Section would also be amended to delete specific reference to each member of the Board of Supervisors current annual salary of $37,585.

Comments:

1. The annual salary for each member of the Board of Supervisors, as stated in the City's Charter, is currently fixed at $37,585. Including fringe benefit costs, the total annual cost for each member of the Board of Supervisors is currently approximately $47,000. In contrast, based on a preliminary review conducted by the Controller's Office, the average salary including fringe benefits for Board of Supervisor members in the surrounding six Bay Area counties (Alameda, Marin, Contra Costa, San Mateo, Sonoma and Santa Clara) is approximately $108,000, which is $61,000 or 129.8 percent more than the amount paid to members of the Board of Supervisors in San Francisco.

2. Attachment I, provided by the Controller' Office, therefore estimates that the proposed Charter Amendment would result in additional costs of approximately $671,000 annually (approximately $61,000 more per Supervisor times 11 Supervisors) to provide full-time salaries and benefits for the Board of Supervisors. The Controller's Office also advises that (1) the actual cost could increase or decrease depending on whether the survey conducted by the Department of Human Resources includes other public sector positions and that (2) since the Charter currently fixes the salary level for each member of the Board of Supervisors at $37,585 and the proposed Charter Amendment would set salaries based on comparable salaries in other jurisdictions, that these costs are likely to increase over time.

3. Attachment II, provided by Ms. Kate Favetti of the Civil Service Commission, advises that, in accordance with Charter Section A8.409-1, the Civil Service Commission staff currently conduct salary surveys for other elected officials in San Francisco, for

consideration by the Civil Service Commission. Therefore, as stated in Attachment II, consistent with this practice, the Civil Service Commission is recommending that the salary surveys for members of the Board of Supervisors should similarly be conducted by the Civil Service Commission staff and not by the Department of Human Resources staff. The Civil Service Commission also recommends that, consistent with other elected officials, that after the initial surveys are conducted and the Board of Supervisors salaries are established that thereafter, annual cost of living adjustments be used to further adjust the salaries, with such adjustments not to exceed five percent.

Civil Service Commission staff advise that the Department should be able to absorb such additional responsibilities within their existing budget.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Edward Harrington
Controller

June 19, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 020884
Charter Amendment providing that the job of a member of the Board of Supervisors is a full-time position and to provide that the Supervisors' salary will be set by the Civil Service Commission by considering the salaries of other California City Councils and County Boards of Supervisors.

Dear Ms. Young:

Should the proposed charter amendment be approved by voters, in my opinion, the estimated costs would be approximately $671,000 per year.

Members of the Board are currently paid a Charter-mandated amount of $37,600 annually, and are provided with full employee benefits for a total cost of approximately $47,000. Based on a preliminary review of average salary information for Board of Supervisors members in six Bay Area counties, average salaries including benefits are approximately $108,000, approximately $61,000 per Supervisor above current amounts.

The Charter Amendment specifies that Board member salaries would be set by a survey conducted by the Human Resources Department and approved by the Civil Service Commission, and that the Civil Service Commission may also consider the Consumer Price Index (CPI) in its determination. If it were determined that the jobs of members of the San Francisco Board of Supervisors were comparable to other public sector positions, rather than to county Board of Supervisors' positions, this cost could increase or decrease. The Charter currently fixes the salary level for members of the Board of Supervisors, if these salaries were instead set by the approach specified in the Charter Amendment, they are more likely to increase over time.

Sincerely,

for Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet

CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

DONALD A. CASPER
PRESIDENT

MORGAN R. GORRONO
VICE PRESIDENT

ADRIENNE PON
COMMISSIONER

LINDA RICHARDSON
COMMISSIONER

ROSABELLA SAFONT
COMMISSIONER

KATE FAVETTI
EXECUTIVE OFFICER

Date: June 20, 2002

To: Gloria Young
Clerk of the Board

From: Kate Favetti
Executive Officer, Civil Service Commission

Subject: **Civil Service Commission Immediate Response to Proposed Charter Amendments on Setting Salaries for the position of Member, Board of Supervisors**

Charter Amendment – Member, Board of Supervisors (Gonzalez) Charter Amendment to amend Section 2.100, and to add Section 15.109 to provide that the Supervisors' salary be set by the Ethics Commission (BOS File 010961)

Charter Amendment- Member, Board of Supervisors (Gonzalez) Charter Amendment to amend Section 2.100, and to provide that the Supervisors' salary will be set by the Civil Service Commission (BOS File 020884)

The Civil Service Commission acted on June 17, 2002 (Vote of 4-1 Commissioner Linda Richardson dissents) to direct the Executive Officer to respond to the proposed Charter amendments on salaries of Member, Board of Supervisors with the following points:

The Civil Service Commission annually certifies salaries for all elected officials except the Members, Board of Supervisors. Setting of salaries for elected officials is under the jurisdiction of the Civil Service Commission as provided in Charter Section A8.409-1 not with the Ethics Commission.

The Civil Service Commission agrees that the position of Member, Board of Supervisor is full time and that the Civil Service Commission be authorized to set the salaries of Member, Board of Supervisor as a full-time position effective July 1, 2003.

The Civil Service Commission further commented that thereafter consistent with all other elected officials, salaries of Member, Board of Supervisors be considered for annual cost of living adjustments on July 1, of each fiscal year to reflect the upward change in the CPI as of the preceding January 1 but not to exceed 5%. The Civil Service Commission also indicated that every five years the salaries of all elected officials be reviewed for internal adjustment. The Civil Service Commission also commented that the Proposed Charter Amendment does not provide a cap and could result in significant salary increases every five years.

Currently the Civil Service Commission staff conducts salary surveys of elected officials for Civil Service Commission consideration. Consistent with the current practice, salary surveys conducted for Members, Board of Supervisor, should be conducted by the Civil Service Commission staff not Department of Human Resources staff. (The Director of Human Resources reports to an elected official.) The Commission normally directs the staff on the parameters for salary surveys and wishes to have this authority applicable to setting salaries for Member, Board of Supervisors.

Should you have any questions or concerns I am available at 252-3250.

cc: Donald A. Casper, President, CSC
Morgan R. Gorrono, Vice President, CSC
Adrienne Pon, Commissioner
Linda Richardson, Commissioner
Rosabella Safont, Commissioner
Marie Corlett Blits, City Attorney
Rob Eshelman, Board of Supervisors
Debra Newman, Budget Analyst Office

Item 7 - File 01-0961

Note: This item was continued to the Call of the Chair at the October 25, 2001 Special Rules Committee Meeting.

Proposed Charter Amendment: Charter Amendment amending Section 2.100 and adding Section 15.109 to provide that the job of a Board of Supervisors member is a full-time position and that the Supervisors salary will be set by the Ethics Commission, and reconsidered every two years, based on surveys of salaries of comparable public sector positions in the State of California.

Draft: First

Charter Sections Affected: Sections 2.100 and 15.109

Description: The proposed Charter Amendment would amend Section 2.100 and add a new Section 15.109 to the City's Charter to state that the job of each member of the Board of Supervisors is a full-time position and that the Supervisors salary would be set by the Ethics Commission, based on the Ethics Commission's review every two years. In accordance with the proposed Charter Amendment, the Ethics Commission's review would need to consider a salary survey of comparable public sector offices in the State of California, conducted by the Department of Human Resources and certified to the Ethics Commission by the Civil Service Commission. Only the Ethics Commission, therefore by majority vote, would be able to change the salary of the Board of Supervisors.

The Ethics Commission would then be responsible for transmitting the Board of Supervisors salary determination on a timely basis to the Controller's Office so that the Controller would (1) set aside the necessary funding and (2) include the new Supervisors salaries in the appropriate budget documents for implementation. The Ethics Commission would be responsible for establishing their two-year Board of Supervisors salary review

cycle, to coordinate with City budget processes and related procedures.

The proposed Section would also be amended to delete specific reference to each member of the Board of Supervisors current annual salary of $37,585.

Comments:

1. The annual salary for each member of the Board of Supervisors, as stated in the City's Charter, is currently fixed at $37,585. Including fringe benefit costs, the total annual cost for each member of the Board of Supervisors is currently approximately $47,000. In contrast, based on a preliminary review conducted by the Controller's Office, the average salary including fringe benefits for Board of Supervisor members in the surrounding six Bay Area counties (Alameda, Marin, Contra Costa, San Mateo, Sonoma and Santa Clara) is approximately $108,000, which is $61,000 or 129.8 percent more than the amount paid to members of the Board of Supervisors in San Francisco.

2. Attachment I, provided by the Controller' Office, therefore estimates that the proposed Charter Amendment would result in additional costs of approximately $671,000 annually (approximately $61,000 more per Supervisor times 11 Supervisors) to provide full-time salaries and benefits for the Board of Supervisors. The Controller's Office also advises that (1) the actual cost could increase or decrease depending on whether the survey conducted by the Department of Human Resources includes other public sector positions and that (2) since the Charter currently fixes the salary level for each member of the Board of Supervisors at $37,585 and the proposed Charter Amendment would set salaries based on comparable salaries in other jurisdictions, that these costs are likely to increase over time.

There are also estimated to be additional minor costs associated with the Department of Human Resources (DHR) conducting the salary survey and the Ethics Commission determining the salary

rate, which should be able to be absorbed within the Departments' existing budgets.

3. On June 11, 2001, the Ethics Commission met to deliberate and receive public comments on various Charter Amendments. Based on a June 13, 2001 letter from Ms. Ginny Vida, the Executive Director of the Ethics Commission, to Ms. Gloria Young, the Clerk of the Board of Supervisors, which is included as Attachment II to this report, Ms. Vida advises that while the Ethics Commission believes that currently "members of the Board of Supervisors are inadequately compensated and that a better process for determining the compensation of the Board should be implemented, the Ethics Commission does not believe that it is in the best interests of the Ethics Commission and the people of San Francisco to have the Ethics Commission set the salaries for the Board of Supervisors".

4. The Office of the Sponsor of the proposed Charter Amendment advises that their Office will request that the subject Charter Amendment be tabled.

Recommendation: Table the proposed Charter Amendment as requested by the Office of the Sponsor.

Harvey M. Rose

cc: Supervisor Hall
Supervisor Gonzalez
Supervisor Sandoval
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey

Edward Harrington
Controller

June 19, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010961

Charter Amendment providing that the job of a member of the Board of Supervisors is a full-time position and to provide that the Supervisors' salary will be set by the Ethics Commission by considering the salaries of other California City Councils and County Boards of Supervisors.

Dear Ms. Young:

Should the proposed charter amendment be approved by voters, in my opinion, the estimated costs would be approximately $671,000 per year.

Members of the Board are currently paid a Charter-mandated amount of $37,600 annually, and are provided with full employee benefits for a total cost of approximately $47,000. Based on a preliminary review of average salary information for Board of Supervisors members in six Bay Area counties, average salaries including benefits are approximately $108,000, approximately $61,000 per Supervisor above current amounts.

The Charter Amendment specifies that Board member salaries would be set by a survey conducted by the Human Resources Department and approved by the Ethics Commission. If it were determined that the jobs of members of the San Francisco Board of Supervisors were comparable to other public sector positions, rather than to county Board of Supervisors' positions, this cost could increase or decrease. The Charter currently fixes the salary level for members of the Board of Supervisors, if these salaries were instead set by the approach specified in the Charter Amendment, they are more likely to increase over time.

Sincerely,

for Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

done as
Attachment
Page 1 of

ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

CAROL M. KINGSLEY
CHAIRPERSON

PAUL H. MELBOSTAD
VICE-CHAIRPERSON

ISABELLA H. GRANT
COMMISSIONER

PHILIP S. RYAN
COMMISSIONER

SHARYN SASLAFSKY
COMMISSIONER

VIRGINIA E. VIDA
EXECUTIVE DIRECTOR

June 13, 2001

Gloria L. Young
Clerk of the Board
Board of Supervisors
Room 244 City Hall
San Francisco, CA 94102-4689

2001 JUN 13 PM

Dear Ms. Young:

On May 31, 2001, after the Ethics Commission informally received a number of proposed Charter amendments that affect its operation, the Committee on Future Initiatives of the Ethics Commission convened a special hearing to consider Charter amendments proposed by Supervisors Newsom, Daly and Gonzalez (File Nos. 010955, 010958, 010962, 010961, 010956, 010959, and 010963). At this meeting, which lasted two and a half hours, the Committee received testimony from Supervisor Daly and his aide, and aides representing Supervisors Newsom and Gonzalez, respectively, as well as from City Attorney Louise Renne and members of the public.

Subsequent to the Board of Supervisors' formal referral of the proposed Charter amendments to the Commission on June 4 and 6, 2001, and the Board's request for comments, the full Ethics Commission met on June 11, 2001. At this meeting, the full Commission again received public testimony, deliberated, and took the following action with respect to various categories identified in the Charter amendments proposed by Supervisors Newsom, Daly and Gonzalez. In adopting the following resolutions regarding its position on the various categories at this time, the Commission made clear that it did not intend to take a position, in support of, or in opposition to, any of the Charter amendments themselves.

The Commission also adopted two resolutions, as set forth below, to urge that the Board of Supervisors take action to clarify language in the Charter to allow members and staff of the Commission to explain and advocate for passage of ballot measures placed before the voters by the Commission, and to amend the Charter to allow the Commission to retain jurisdiction over complaints while they are under consideration by the City Attorney and the District Attorney.

A. Charter amendments proposed by members of the Board of Supervisors:

1. Ex officio membership:
Be it resolved that although the Ethic Commission supports better coordination and communication between the Ethics Commission and the Department of Elections, at this time it does not find that it is in the best interests of the Ethics Commission to have the Director of Elections sit ex-officio on the Ethics Commission, or to have the Executive Director of the Ethics Commission sit ex-officio on the proposed Elections Commission.

2. Employees:
Be it resolved that while the Ethics Commission supports the goal that staff be independent of political influence and patronage, the Ethics Commission finds that at this time it is in the best interests of the Ethics Commission and the people of San Francisco that the Commission retain the power to appoint auditors, investigators, and the Executive Director, who shall serve at the Commission's pleasure.

3. Legal counsel:
Be it resolved that the Ethics Commission finds that it is in the best interests of the Ethics Commission and the people of San Francisco that the City Attorney remain the legal advisor for the Ethics Commission.

4. Budget process:
Be it resolved that the Ethics Commission finds that at this time it is in the best interests of the Ethics Commission and the citizens of San Francisco not to alter the budget process for the Ethics Commission, as set forth in the proposed Charter amendments.

5. Board of Supervisors' salary:
Be it resolved that while the Ethics Commission believes that members of the Board of Supervisors are inadequately compensated and that a better process for determining the compensation of the Board should be implemented, the Ethics Commission does not believe that it is in the best interests of the Ethics Commission and the people of San Francisco to have the Ethics Commission set the salaries for the Board of Supervisors.

B. Suggested additions to proposed Charter amendments:

1. Advocate for measures placed on the ballot by the Ethics Commission:
Be it resolved that the Ethics Commission urges the Board of Supervisors to place before the voters a proposal clarifying the current language in the Charter to allow members and staff of the Ethics Commission to explain ballot measures placed before the voters by the Ethics Commission, and to advocate as private individuals for the passage of such measures.

2. Jurisdiction:
Be it resolved that the Ethics Commission urges the Board of Supervisors to place before the voters a Charter amendment to allow the Ethics Commission to retain jurisdiction

over complaints filed with the Ethics Commission after the Commission refers the complaints to the District Attorney and the City Attorney.

The Ethics Commission is always pleased to provide the Board and individual supervisors with input and feedback on proposals that affect the Commission. We encourage and welcome more such interaction in the future. Please feel free to call me at 581-2301 if you have any questions.

Sincerely,

Ginny Vida

Ginny Vida
Executive Director

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City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Tuesday, July 02, 2002 | **9:30 AM** | **City Hall, Room 263**

Rescheduled Meeting

Members Absent: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

MEETING CANCELLED

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REGULAR AGENDA

021156 [Appointments, Planning Commission]

Mayor

Motion approving the Mayor's nomination of Jon Ballesteros, Hector Chinchilla, Dr. William Fay, and Frances Lee to the Planning Commission, terms to be determined by lot. (Mayor)

Jon Ballesteros, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.
Hector Chinchilla, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.
Dr. William Fay, Seat 6, new position, must be nominated by the Mayor, term to be determined by lot.
Frances Lee, Seat 7, new position, must be nominated by the Mayor, term to be determined by lot.

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

MEETING CANCELLED.

021157 [Appointments, Planning Commission]

Mayor

Motion rejecting the Mayor's appointments of Jon Ballesteros, Hector Chinchilla, Dr. William Fay, and Frances Lee to the Planning Commission. (Mayor)

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

MEETING CANCELLED.

021150 **[Appointments, Planning Commission]**

Supervisor Ammiano

Motion approving the Board of Supervisors President's nomination of Lisa Feldstein, Kevin Hughes, and Marylyn Sue Lee to the Planning Commission, terms to be determined by lot.

Lisa Feldstein, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Kevin Hughes, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Marylyne Sue Lee, Seat 3, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

MEETING CANCELLED.

021151 **[Appointments, Planning Commission]**

Supervisor Ammiano

Motion rejecting the Board of Supervisors President's appointment of Lisa Feldstein, Kevin Hughes, and Marylyn Sue Lee to the Planning Commission.

6/24/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

MEETING CANCELLED.

021154 **[Appointments, Board of Appeals]**

Mayor

Motion approving the Mayor's nomination of Arnold Chin, John McInerney, and Sabrina Saunders to the Board of Appeals, terms to be determined by lot. (Mayor)

Arnold Chin, Seat 3, new position, must be nominated by the Mayor, term to be determined by lot.
John McInerney, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.
Sabrina Saunders, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

MEETING CANCELLED.

021155 **[Appointments, Board of Appeals]**

Mayor

Motion rejecting the Mayor's appointments of Arnold Chin, John McInerney, and Sabrina Saunders to the Board of Appeals. (Mayor)

6/24/02, RECEIVED AND ASSIGNED to Finance Committee.

6/26/02. TRANSFERRED to Rules and Audits Committee.

MEETING CANCELLED.

021152 **[Appointments, Board of Appeals]**

Supervisor Ammiano

Motion approving the Board of Supervisors President's nomination of Doug Shoemaker and Hisashi Sugaya to the Board of Appeals, terms to be determined by lot.

Doug Shoemaker, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Hisashi Sugaya, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

6/24/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

MEETING CANCELLED.

021153 **[Appointments, Board of Appeals]**

Supervisor Ammiano

Motion rejecting the Board of Supervisors President's appointment of Doug Shoemaker and Hisashi Sugaya to the Board of Appeals.

6/24/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

MEETING CANCELLED.

021139 **[Confirming the appointment of Reverend Edgar E. Boyd to the San Francisco Redevelopment Agency]**

Resolution confirming the appointment of Reverend Edgar E. Boyd to the San Francisco Redevelopment Agency for the remainder of a four-year term ending September 3, 2003. (Mayor)

6/26/02. RECEIVED AND ASSIGNED to Rules and Audits Committee. Sponsor requests this item be heard at the July 2, 2002 meeting.

MEETING CANCELLED.

ADJOURNMENT

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Friday, July 05, 2002 | **9:00 AM** | **Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

MEETING CONVENED

The meeting convened at 9:10 a.m.

011656 **[Charter Amendment - Public Utilities Commissioners]**

Supervisor Hall

Charter amendment (First Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment.

9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001
10/25/01, CONTINUED TO CALL OF THE CHAIR.
1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.
6/25/02, CONTINUED. Speakers: None
Continued to July 5, 2002.

Heard in committee. Speaker: Ted Lakey, Deputy City Attorney.
Supervisor Gonzalez requested to be added as a co-sponsor.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment, providing for appointment of new commissioners.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

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020805 **[Charter Amendment - Entertainment Commission]**

Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Charter amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission.

5/13/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/12/2002.

6/25/02, CONTINUED Heard in committee Speakers : Supervisor Leno; Debra Newman, Budget Analyst's office; Dorji Roberts, City Attorney; Captain Tom O' Neill, SFPD; Rhaji Bajit, Department of Public Health; Bob Planthold, Jim Mekhole; Sean Mills, Seventeen Reasons; Frederick Hobson; Kathleen Harrington, Golden Gate Restaurant Association; John Wood, Late Night Coalition; Jerry Paul, permit consultant, Mark Rennie; Bevin Dufte; Bruce McDonald, Terrence Allen; Paul Hogan; R Stephen Ellis; John DeCastro; Tim Faldy, Chair, Union Square Association, Public Policy Committee; David Overdorf; Linda Mjellen, Robert Garcia; Nick Fynn; Stephanie Tucker; Justin Kimble; Gilbert Criswell; Kathy Ellis; Ed Harrington, Controller
Supervisors Daly, Ammiano, Gonzalez, Newsom, Peskin and Sandoval requested to be added as co-sponsors.
Continued to July 5, 2002.

Heard in committee. Speakers: Supevisor Leno; Linda Mjellem; John DeCastro; Terence Allen; Ed Harrington, Controller.
7/5/02 Amendment of the whole bearing same title.
Continued to July 10, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission.

CONTINUED AS AMENDED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

012056 **[Municipal Water and Power Charter Amendment]**

Supervisors Ammiano, Maxwell

Charter amendment (Second Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

11/13/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/13/2001.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

6/17/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment (Second Draft) bearing new title.

6/17/02, ASSIGNED to Rules and Audits Committee

6/25/02, CONTINUED Heard in committee. Speakers: Brad Benson, Aide to Supervisor Ammiano; Theresa Mueller, Deputy City Attorney, Hyampsis Sumchai.
Continued to July 5, 2002.

Heard in Committee. Speakers: Supervisor Ammiano; Supervisor Maxwell; Ed Smeloff, Assistant General Manager for Public Power and Resources Development, Public Utilities Commission; Theresa Mueller, Deputy City Attorney; Mr. Brunheld, Department of the Environment; Red Kennan; Ross Boylan; Bruce Brugman, Bay Guardian; Marilyn Chu; Male Speaker; Denis Mosgofian; Bob Boileau, SF Labor Council; Hunter Stone; Electrical Workers; Ross Mercurian; Richard Thal; Female Speaker; Mr. Calish; Mishwa Lee; Marie Harrison; Diane Felman, LAFCO.
7/5/02 Amendment of the whole bearing same title.
Continued to July 10, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Third Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

CONTINUED AS AMENDED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020887 **[Charter Amendment - Establishing Municipal Water and Power Agency]**

Supervisor Ammiano

Charter Amendment (Second Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.128, amend Section 9.111-1 and 4.112 and delete Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing, hiring and selection of providers; reporting and planning requirements; revenue bonds or other financing methods.

(Fiscal impact.)

2/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.
6/17/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute charter amendment (Second Draft) bearing new title.
6/17/02, ASSIGNED to Rules and Audits Committee.
6/25/02, CONTINUED. Speakers: None.
Continued to July 5, 2002.

Heard in committee. Speakers: Supervisor Ammiano; Pat Martel, PUC; Ed Harrington, Controller; Alec Gibson, Budget Analyst's Office; Nadia Sysat, Mayor's Office; Vickie Clayton, Deputy City Attorney; Marie Harrison; Mishwa Lee; Bob Boileu; Kate Favetti, Civil Service Commission; Alicia Villagomez; Red Kennan, Steven Crifte; Elena Brooke; Ruth Gravanis; Ms. Macaung; Female speaker; David Minligraski; Phil Ginsberg, Deputy City Attorney; Dan Masconie.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter Amendment (Third Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.128, deleting Section 9.111-1 and amending Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing and hiring; revenue bonds or other financing methods.

(Fiscal impact.)

CONTINUED AS AMENDED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020938 **[Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]**

Supervisors Ammiano, Gonzalez

Charter amendment (First Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

(Fiscal impact.)

5/28/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/27/2002.

Heard in committee. Speakers: Supervisor Ammiano; Ed Harrington, Controller; Claire Murphy, SF Employee's Retirement System; Rich Marino; Sharon Brest; Armando Garcia; Allan Pringle. Supervisor Gonzalez requested to be added as a co-sponsor.
Continued to July 10, 2002.

CONTINUED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020888 **[Charter Amendment - Assistance to Elections Department]**

Supervisor Ammiano

Charter amendment (Third Draft) to amend section 13.104.5 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguisable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waive, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; and specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan.

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/3/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.

6/3/02, ASSIGNED to Rules and Audits Committee.

6/25/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Supervisor Ammiano; Deputy City Attorney Julia Moll; Ed Harrington, Controller.
6/25/02 Amendment of the whole bearing same title.
Continued to July 5, 2002.

6/25/02, CONTINUED AS AMENDED.

Heard in committee. Speakers: Marianne DeSouza, Sheriff's Department; Vickie Hennessy, Sheriff's Department; Julie Moll, Deputy City Attorney.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Fourth Draft) to amend sections 13.103.5, 13.104.5, 15.100 and 6.102 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguisable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan; and eliminate some of the restrictions that apply to members of the Ethics Commission, Elections Commission, and the City Attorney.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020886 **[Charter Amendment - Homeless Policy]**

Supervisor Daly

Charter amendment (Second Draft) to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same any fiscal year in which such enactment was adopted; to add Section 4.134 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/10/02, SUBSTITUTED. Supervisor Daly presented a substitute Charter Amendment (Second Draft) bearing new title.

6/12/02, ASSIGNED to Rules and Audits Committee

6/13/02, CLERICAL CORRECTION Clerical corrections by attorney to change Section "4 132" to "4 134"

6/26/02, CONTINUED Speakers: None
Continued to July 5, 2002.

Heard in committee. Speakers: Ted Lakey, Depnty City Attorney; Supervisor Daly; Ed Harrington, Controller; Anna Laforte; Arthur Evans; Henriqne Cohen; Female Speaker.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Third Draft) to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same fiscal year in which such enactment was adopted; to add Section 4.134 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020885 **[Charter Amendment - Parental Leave Compensation]**

Supervisors Daly, Gonzalez

Charter amendment (First Draft) to add Section A8.365 regarding compensation during parental leave.

(Fiscal impact.)

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2020.

6/26/02, CONTINUED Heard in committee Speakers Supervisor Daly, Gina Roccanova, City Attorney's office; Debra Newman, Budget Analyst's office; Ed Harrington, Controller, Alice Villagomez, Human Resources Department, Maria Gustory, Helenya Brooke
Supervisor Gonzalez requested to be added as a co-sponsor
Continued to July 5, 2002

Heard in committee. Speakers. Gina Roccanova, Deputy City Attorney; Ed Harrington, Controller; Alicia Villagomez.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to amend the charter regarding compensation during parental leave

(Fiscal impact.)

CONTINUED AS AMENDED by the following vote:

Ayes. 3 - Hall, Gonzalez, Sandoval

011957 **[Public Advocate]**

Supervisor Daly

Charter amendment (First Draft) to amend Section 6.100 and adding Section 6.108 to create the Public Advocate.

10/25/01, CONTINUED. Divided from File No. 011654

Continued to November 1, 2001.

10/25/01, DIVIDED to Rules Committee

11/1/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor Chris Daly; Richard Ow; Ron Miguel; Elmo Wedderburn; John Bardis.

6/26/02, CONTINUED. Heard in committee. Speakers: Supervisor McGoldrick; Supervisor Daly, Ted Lakey, Deputy City Attorney; Debra Newman, Budget Analyst's office; Ed Harrington, Controller; Paula Jesson, Deputy City Attorney; Ginny Vida, Executive Director, Ethics Commission; Jerry Threet, Aide to Supervisor McGoldrick; Female Speaker; Mr. Soloman; Doug Comstock, Coalition of San Francisco Neighborhoods.
Continued to July 5, 2002.

Heard in committee. Speakers: Supervisor Daly; Supervisor McGoldrick.

FILED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020882 **[Charter Amendment - Public Advocate]**

Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 6.100 and adding Section 6.108 to create the Auditor General.

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/26/02, CONTINUED. Heard in committee. Speakers: Supervisor McGoldrick, Supervisor Daly, Ted Lakey, Deputy City Attorney; Debra Newman, Budget Analyst's office; Ed Harrington, Controller; Paula Jesson, Deputy City Attorney; Ginny Vida, Executive Director, Ethics Commission, Jerry Threet, Aide to Supervisor McGoldrick, Female Speaker, Mr. Soloman; Doug Comstock, Coalition of San Francisco Neighborhoods.
Continued to July 5, 2002.

Heard in committee. Speakers: Supervisor McGoldrick; Ed Harrington, Controller.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to amend Section 6.100 and adding Section 6.108 to create the Public Advocate.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020884 **[Charter Amendment - Board of Supervisors]**

Supervisor Gonzalez

Charter amendment (First Draft) to amend Section 2.100 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Supervisors' salary will be set by the Civil Service Commission once every five (5) years. The Civil Service Commission will consider salaries in other California City Councils and County Boards of Supervisors, and may also consider the Consumer Price Index (CPI).

5/20/02. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/26/02. AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee Speakers: Paul Melbastat, Ethics Commission, Ginny Vida, Executive Director, Ethics Commission; Bob Planthold; Rob Eshelman, Aide to Supervisor Gonzalez. Ed Harrington, Controller.
6/26/02 Amendment of the whole bearing new title
Continued to July 5, 2002.

6/26/02. CONTINUED AS AMENDED.

Heard in committee. Speakers: Ed Harrington, Controller.
7/5/02 Amendment of the whole bearing same title.
Continued to July 10, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Third Draft) to amend Section 2.100 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Civil Service Commission shall set the Supervisors' salary once every five (5) years. The Civil Service Commission must consider salaries of other California City Councils and County Boards of Supervisors, and may also consider the Consumer Price Index (CPI).

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

ADJOURNMENT

The meeting adjourned at 6:12 p.m.

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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July 2, 2002

TO: Rules and Audits Committee

FROM: Budget Analyst

SUBJECT: July 5, 2002 Rules and Audits Committee Meeting

Item 2 – File 02-0805

Note: The proposed Charter Amendment was continued at the June 25, 2002 meeting of the Rules and Audits Committee. A companion ordinance (File 02-0783), which would amend the City's Administrative Code and specify the responsibilities of the proposed Entertainment Commission was approved by the Rules and Audits Committee and forwarded to the full Board of Supervisors.

Proposed Charter Amendment: Charter Amendment adding a new Section 4.117 to establish the composition and appointment of members to the San Francisco Entertainment Commission.

Description: The proposed Charter Amendment stipulates that the San Francisco Entertainment Commission would consist of seven members, four appointed by the Mayor and three appointed by the Board of Supervisors. The initial terms of the Entertainment Commissioners would be staggered with the Mayor appointing two members to serve four-year terms, one member to serve a three-year term and one member to serve a two-year term. The Board of Supervisors would appoint three initial members: one to a four-year term, one to a three-year term, and another to a two-year term. Except for appointments to fill vacancies,

all terms subsequent to the initial terms would be for four years.

The proposed Charter Amendment further requires that the appointments to the San Francisco Entertainment Commission represent various interests as follows: (1) two members (one appointed by the Mayor and one appointed by the Board of Supervisors) would represent the interests of City neighborhood associations or groups (2) two members (one appointed by the Mayor and one appointed by the Board of Supervisors) would represent the interests of entertainment associations or groups (3) two members (one appointed by the Mayor and one appointed by the Board of Supervisors) would represent the interests of the public health community and (4) one member appointed by the Mayor would represent the interests of the law enforcement community.

The proposed Charter Amendment specifies that San Francisco members of the Entertainment Commission could be suspended or removed from the Commission for official misconduct in accordance with the Charter. (Mr. Dorji Roberts of the City Attorney's Office advises that through the proposed Amendment of the Whole, this provision will become more specific to state that: (1) Commissioners appointed by the Mayor could be suspended by the Mayor for official misconduct (2) Commissioners appointed by the Board of Supervisors could be suspended by the President of the Board of Supervisors for official misconduct. All Commissioners could be removed by the Board of Supervisors for official misconduct.)

Comments:

1. Sergeant William Coggan of the Police Department advises that the proposed Charter Amendment is based on a recommendation by the 1999-2000 San Francisco Grand Jury. The Grand Jury recommended that a small commission be established "exclusively to handle entertainment venue permits in San Francisco." The Grand Jury report noted that "under the current process, the Police act as 'judge, jury, and executioner.'"

The FY 1999-2000 Grand Jury recommended that such a commission be modeled after the Interdepartmental Staff

Committee on Traffic and Transportation (ISCOTT) established in 1983 to consider all applications for the temporary use or occupancy of public streets for street fairs or athletic events, such as the annual Bay to Breakers race. The ISCOTT consists of a variety of City Department heads or their designees. The Grand Jury recommended that such a composition would be appropriate for the proposed commission on entertainment venue permits.

The proposed Charter Amendment, however, specifies that the San Francisco Entertainment Commission would consist of members representing the interests of: (1) City neighborhood associations or groups (2) entertainment associations or groups (3) the public health community and (4) the law enforcement community. The Office of the Sponsor indicated that the rationale for having the proposed Commission consist of groups other than just Department heads or their designees (as the Grand Jury report recommended) is that the Sponsor believed it was important to allow the public to have input on the new Commission. The Office of the Sponsor further notes that as a Commission, rather than a committee, the Entertainment Commission would be able to propose policies and plan for events for which permits are not issued, such as the Halloween celebrations in the Castro.

2. As shown in the Attachment provided by the Controller's Office, there would be no direct costs to the City of the proposed Charter Amendment.

3. As noted above, a companion ordinance (02-0783) that would specify the responsibilities of the proposed Entertainment Commission, to be created by the proposed Charter Amendment, has been forwarded to the full Board of Supervisors. The Controller's Office has provided the following general annual estimates of this companion ordinance, which would specify the responsibilities of the Entertainment Commission:

Commission, include Secretary and General Operations	$115,900
Executive Director	109,600
2.0 FTE Permit Administrators	137,800
2.0 FTE Sound Technicians	157,600
Total	**$520,900**

In response to questions by the Rules and Audits Committee on June 25, 2002, Mr. Todd Rydstrom of the Controller's Office advises that the revenue in the FY 2002-2003 Police Department budget for the processing and issuance of the permits, which under the proposed ordinance would be handled by the Entertainment Commission, is $252,000, such that the balance of an estimated $268,900 ($520,900 total annual cost less $252,000 of annual revenues) would be General Fund revenues.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLER

Edward Harrington
Controller

June 21, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 020805
Charter Amendment to establish an Entertainment Commission consisting of seven members.

Dear Ms Young:

Should the proposed charter amendment be placed on the ballot, in my opinion, there would be no direct effect on the cost of government that can be determined at this time. The Charter amendment establishes a seven-member Entertainment Commission with four members appointed by the Mayor and three members appointed by the Board of Supervisors. However, the amendment does not specify the functions or duties of the Commission.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 3 - File 01-2056

Note: This item was continued by the Rules and Audits Committee at its meeting of June 25, 2002.

Proposed Ballot Measure: A proposal to the qualified voters of the City of San Francisco to amend the Charter of the City by amending Section 4.112 and adding a new Chapter 8B addressing Public Utilities Commission (PUC) governance, goals and objectives related to energy, powers of the PUC related to energy, siting of energy facilities and rates for energy services.

Draft: Third

Sections Affected: Section 4.112.

Description: According to Ms. Theresa Mueller of the City Attorney's Office, the proposed Charter Amendment, if approved by the voters, would:

(1) Change the PUC from a five-member commission appointed by the Mayor to an eleven-member commission, with one commissioner elected from each supervisorial district. The eleven commissioners would receive "reasonable compensation" which cannot exceed the average of the two highest compensations paid to the members of any Bay Area board or commission with similar authority and responsibility. The commissioners' terms would be for four years, with the exception of (a) the initial ten month term for appointed commissioners between March of 2003 and January 7, 2004[1], and (b) staggered initial terms for the first elected commissioners who will begin on January 8, 2004.

(2) Require the PUC to (a) ensure reasonably-priced, reliable electric service; (b) establish a goal that 25 percent of the electricity provided by the PUC would

[1] Each member of the Board of Supervisors would appoint one commissioner to serve on the PUC until the first elected commissioners chosen by the voters in the November of 2003 election take office on January 8, 2004.

be from renewable sources such as wind or solar energy; (c) establish energy conservation and efficiency goals; (d) develop energy resources sufficient to shut down the Hunters Point power plant by January of 2005 and allow for the closure of other polluting power plants; (e) develop energy resources to serve San Francisco; (f) periodically publish a resource plan; (g) report on the PUC's success in achieving the goals and recommend changes to help achieve goals; and (h) remedy environmental justice inequities and create opportunities for participation by disadvantaged communities in developing the PUC's goals and objectives.

(3) Permit the PUC, without the Board of Supervisors approval, to (a) enter into long-term contracts in any amount for energy and related services; (b) enter into joint powers agreements with other public entities; and (c) serve as "the default provider of energy" which would permit the PUC to sell energy to San Francisco residents and businesses.

(4) Permit the PUC to issue revenue bonds, loans, and other forms of indebtedness with Board of Supervisors approval if the Controller certifies that sufficient unencumbered PUC revenues will be available to meet the PUC's bond repayment obligations. The proceeds could only be used for the construction of new facilities, the repair and replacement of existing City energy facilities, the acquisition of generating facilities, and the acquisition of Pacific Gas and Electric, Inc.'s transmission and distribution facilities. Acquisition of Pacific Gas and Electric, Inc.'s transmission and distribution facilities could only occur after the completion of a "credible" cost-benefit analysis, and would be subject to Board of Supervisors review.

(5) Requires the PUC to consider and make findings related to the siting of new energy facilities consistent with environmental justice laws and policies, environmental impacts, and project alternatives. New generation projects would not be

located in Southeast San Francisco without a PUC finding that the project would result in a net decrease in pollution. However, in siting clean energy generating technologies, the PUC would give preference to Southeast San Francisco locations to maximize the public health, environmental, and economic benefits for local residents. The PUC could not support nuclear generating facilities.

(6) Requires the PUC to establish cost-based energy rates at a level sufficient to meet bond and loan payments, maintain credit ratings, finance operating and capital costs, and guarantee prudent reserves, while also allowing for a discount rate program for low income users and encouraging energy conservation. Rates could include surcharges to fund conservation and renewable energy programs.

(7) Mandates periodic cost of service studies, five-year rate and cost forecasts, and the establishment of a Rate Fairness Board[2].

(8) Allows revenue transfers to the General Fund only if (a) the PUC's rates, including any surcharges, are certified by the Controller to be below the rates which would be charged by Pacific Gas and Electric, Inc., and (b) revenues are adequate to maintain the PUC's financial health.

(9) Requires the City, with regard to severance pay-outs for non-City employees, to negotiate in good faith with employees laid off as a result of the City acquiring any electric generating plan, or electric distribution and/or transmission system.

Comments:

1. Attachment I, provided by the PUC, summarizes the PUC's analysis of the costs and benefits of the proposed Charter Amendment.

[2] The Rate Fairness Board would have seven members including: (a) the City Administrator, (b) the Controller, (c) the Director of the Mayor's Office of Public Finance, (d) two City residential retail customers, with one appointed by the Mayor and the other appointed by the Board of Supervisors, (e) a large business customer appointed by the Mayor, and (f) a small business customer appointed by the Board of Supervisors.

2. The Budget Analyst notes that under this Charter Amendment, the PUC may not transfer surplus Hetch Hetchy funds to the City's General Fund. The last six years' transfers from Hetch Hetchy to the General Fund, were as follows:

Year	Hetch Hetchy Transfer to General Fund
FY 1996-97	$37,703,000
FY 1997-98	$45,703,000
FY 1998-99	$42,703,000
FY 1999-2000	$39,850,000
FY 2000-2001	$29,850,000
FY 2001-2002	$0
FY 2002-2003 (projected)	$0

3. As stated in Attachment I, the PUC suggests a monthly stipend of $2,000 for each of the eleven new commissioners to reflect their increased time commitment due to their responsibilities under the proposed Charter Amendment. The eleven commissioners would cost $264,000 annually. The PUC also estimates costs for periodic cost-of-service based rate studies (up to $200,000 every five years), increased legal counsel (approximately $300,000 annually), the Rate Fairness Board (approximately $10,000 annually), and revenue bond issuance (a one-time cost of up to $200,000), but notes that there are various other related costs which cannot be readily quantified at this time.

4. As of the writing of this report, the Controller's Office has not completed its estimates of the cost of the proposed Charter Amendment pending amendments to the proposal. As stated in Attachment II, the Controller will prepare a cost estimate when the major provisions of this Charter Amendment are finalized.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

SAN FRANCISCO PUBLIC UTILITIES COMMISSION

BUREAU OF FINANCE
1155 Market St., 6th Floor, San Francisco, CA 94103 • Tel. (415) 487-5250 • Fax (415) 487-5258

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JEFFREY CHEN

PATRICIA E. MARTEL
GENERAL MANAGER

DATE: JUNE 20, 2002

TO: BOARD OF SUPERVISORS BUDGET ANALYST

FROM: BILL BERRY, ASSISTANT GENERAL MANAGER FOR FINANCE & ADMINISTRATION, SFPUC

SUBJECT: RE: FILE 01-2056 COSTS AND BENEFITS OF THE PROPOSED CHARTER AMENDMENT FOR ENERGY SERVICES

The Charter Amendment, which would establish a new chapter 8B, and amend sections 4.112, articulates new and changed PUC governance structure, oversight responsibilities, and ongoing administrative and management framework. From the perspective of SFPUC management, the following are the anticipated costs and benefits of this Charter Amendment.

Costs

While the proposed changes would provide significant benefits as outlined below, they would nonetheless entail additional costs that would be necessary to effect a new PUC energy business model. It should be noted that the costs outlined herein do not represent an exhaustive list, but rather a compilation of certain known and obvious costs at this time. There are some items that the SFPUC cannot adequately quantify at this time, and potentially other unanticipated costs that could materialize in the future. The projected costs are as follows:

- **CREATION OF ELEVEN MEMBER BOARD**

  The new PUC comprises eleven members. A suggested stipend of $2,000 for the Commissioners per month would total $264,000 annually. This assumes increased time commitment for the Board members, consistent with the revised responsibilities.

- **PERIODIC COST OF SERVICES STUDIES**

  The estimated cost of conducting a cost-of-service based rate study every five years is within a range of $120,000 to $200,000 per study.

- **INCREASED LEGAL COUNSEL COST**

  It is anticipated that legal counsel cost would increase by approximately $300,000 annually, consistent with the anticipated level of various contracts and agreements pursuant to the Charter Amendments.

- **RATE FAIRNESS BOARD**

  An annual cost of $10,000 is projected for miscellaneous expenditures necessary to organize and run the meetings of this board.

- **ISSUANCE OF REVENUE BONDS**

  SFPUC management estimates that approximately $100,000 to $200,000 would be required to prepare Hetchy to be rated by the rating agencies and for preparation of other structuring and documents necessary to actually issue the revenue bonds.

- **OTHER ITEMS THAT CAN NOT BE QUANTIFIED AT THIS TIME**

  There are other related business matters with costs that cannot be readily quantified at this time. The PUC will engage in a study and review of these matters to come up with cost projections. The business issues include:

  Cost of potential acquisition of City distribution facilities pursuant to the conditions outlined in the Charter Amendment.

  Severance pay-outs to employees that may be necessary

Benefits

The benefits of this Charter Amendment would be significant. The amendment provides the framework for sustained efficient operations and maintenance of the Hetch Hetchy systems and, serves to enhance service to the ratepayers, particularly the citizens of the City and County of San Francisco. Some of the specific benefits of the Charter Amendment include:

The amendment provides SFPUC with an effective and streamlined operating framework to conduct the City energy business consistent with best practice in the industry.

It enables SFPUC management to enter into appropriate and approved transactions, agreements, or alliances swiftly and with the necessary authority, which will enhance power reliability and service delivery to our customers.

The amendment fosters the prudent management of the financial affairs of the power enterprise by requiring sound budgeting practices, cost based electric rate setting, prudent reserve provisions, and a streamlined ability to issue bonds necessary for capital additions and improvements of the system.

As mentioned above, the foregoing represents SFPUC management estimate of known costs and anticipated benefits of the Charter Amendments. These are by no means an exhaustive list as SFPUC is continuing to study the potential costs and benefits accruing to the enterprise and our customers as a result of these changes. SFPUC will update the BOS Budget Analyst and the members of the BOS with any new findings as additional information becomes available.

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If you have any questions or desire additional information, please email me at wberry@puc.sf.ca.us or call me at (415) 554-2457.

CITY AND COUNTY OF SAN FRANCISCO — OFFICE OF THE CONTROLLE

Edward Harringt
Control

June 21, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 012056
Charter Amendment to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

Dear Ms. Young:

It is my understanding that amendments to this proposal are being prepared at this time. When the major provisions of this Charter proposal are known, my office will prepare a cost estimate.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Memo to Rules and Audits Committee
July 5, 2002 Special Rules and Audits Committee Meeting

Item 4 - File 02-0887

Note: This item was continued by the Rules and Audits Committee at its meeting of June 25, 2002.

Proposed Ballot Measure: A proposal to the qualified electors of the City and County of San Francisco to amend the Charter of said city and county by creating a new Article VIIIB by adding Sections 8B.120 through 8B.128, amending Section 9.111-1 and 4.112, and deleting Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing, hiring and selection of providers; reporting and planning requirements; revenue bonds or other financing methods.

Draft: Second

Sections Affected: Sections 9.111-1, 4.112, and 16.103.

Description: According to Ms. Vicki Clayton of the City Attorney's Office, the proposed Charter Amendment, if approved by the voters, would:

(a) Clarify that the Public Utilities Commission (PUC) has exclusive control of the City's water and clean water assets. These utility assets comprise the Hetch Hetchy water and power system, and the City's sewerage system.

(b) Modify the annual PUC budget process. Under existing law, the PUC budget is subject to Mayoral and Board of Supervisors approval. The Board of Supervisors may amend the proposed annual appropriation so long as it does not increase the total expenditures for any fund. Under the proposed Charter Amendment, the PUC would propose a budget that the Mayor would be obligated to include in the annual appropriation ordinance and the Board of Supervisors would be limited to approving or rejecting, but could not modify, so long as the budget did not require any General Fund monies. However, if the

proposed budget did require General Fund monies, then both the Mayor and the Board of Supervisors could modify the budget so that no General Fund monies are required. The PUC would be able, at any time, to adopt a supplemental budget to modify the base budget based upon utility revenues, if there was no need for General Fund monies. The same approval process as above would apply to such supplemental budgets, meaning that the Board of Supervisors could not modify such supplemental budgets.

(c) Establish rate setting sufficient to meet the water and clean water systems' operational, maintenance, and financial needs while protecting retail ratepayers, reducing the interest paid on bonds and other indebtedness, and ensuring public review. Under existing law, the PUC recommends a schedule of rates, fees, and other charges to the Mayor who, in turn, submits the schedule to the Board of Supervisors for approval. Under the proposed Charter Amendment, the PUC would retain the power to set rates, fees, and other charges, but would also be required to establish retail rates and charges based on the cost of providing services to customers, with the goal of improving the financial condition and bond ratings of each enterprise under the PUC's jurisdiction. Each year, the PUC would be required to prepare a rolling five-year forecast of rates, fees, and other charges to be reviewed by a newly constituted Rate Fairness Board.[1] The proposed Charter Amendment would change the annual rate-setting process by having the proposed rate schedule be subject to approval or rejection by the Board of Supervisors by resolution, rather than ordinance. The PUC would also be required to (a) study rate-based conservation incentives and how best to provide assistance to low income users, and (b) retain an independent rate consultant to conduct rate and cost of service studies for PUC utilities at least every five years.

[1] The proposed Rate Fairness Board would have seven members including: (a) the Treasurer or designee; (b) the Controller or designee; (c) the Director of the Mayor's Office of Public Finance or designee; (d) two residential customers, one appointed by the Mayor and one by the Board of Supervisors; (e) and two business customers, a large business customer appointed by the Mayor and a small business customer appointed by the Board of Supervisors.

(d) If the Charter Amendment is approved, it would supercede Proposition H which freezes water and clean water rates through July 1, 2006, with certain exceptions.

(e) Establish the PUC as an independent revenue department with the ability to transfer funds from one utility to another prior to any transfer to the General Fund. Under existing law, the PUC cannot transfer funds from one utility (for example, power) to another (for example, water or clean water). It can only, with the concurrence of two-thirds of the Board of Supervisors, transfer surplus funds to the General Fund. According to Ms. Clayton, the proposed Charter Amendment would grant the PUC authority to capture (a) all Hetch Hetchy surplus funds certified by the Controller, (b) the proceeds from property sales, and (c) lease revenues, to the extent allowable by bond covenants, for the costs of operating, repairing, and maintaining the water and clean water systems. In this way, the PUC may, for example, use surplus revenues from power to meet the needs of its water and clean water utilities before the surplus funds can be used for any other purpose, according to Ms. Clayton. Only if the PUC unanimously determines, with the concurrence of three-quarters of the Board of Supervisors, that surplus funds are not needed for any such utility purpose, could any portion of the surplus be transferred to the General Fund. The intent of this proposed Charter change is to provide the PUC with greater flexibility to fund the needs of each of the utilities under its jurisdiction as well as to protect the PUC from undue financial pressures to contribute to the City's General Fund, according to Ms. Clayton.

(f) Permit the PUC to exercise greater independence in contracting, purchasing, and selecting the providers of goods and services. Under existing law, the Civil Service Commission approves temporary professional services contracts, and the Board of Supervisors approves all non-construction contracts in excess of $10,000,000 or ten years in duration, and any contract amendments which have an impact of more than

$500,000. Under the proposed Charter Amendment, the PUC would have the authority, without Board of Supervisors approval, to enter into (a) water purchase and sale agreements and joint powers agreements, (b) construction-related personal services contracts for up to $50,000,000 or a ten-year term, and contract amendments for up to $1,000,000 or 40 percent of the original contract, whichever is greater, and (c) contracts to purchase construction materials and equipment. With regard to construction materials and equipment contracts, the PUC would not be required to obtain the Purchaser's approval. The intent of this proposed Charter change is to allow the PUC to enter independently into contracts and to purchase supplies and equipment without delay, according to Ms. Clayton.

(g) Require the development of long-term capital, financial, and strategic plans. Under existing law, the PUC is only required to include multi-year budgets for capital improvements and facilities in its annual appropriations ordinance authorized by the Board of Supervisors each fiscal year. Under the proposed Charter Amendment, the PUC would be required to annually update, review, conduct public hearings on, and adopt a ten-year capital improvement program and a long-range financial plan. The PUC would also be required to periodically develop, review, and approve a long-term strategic plan.

(h) Provide the PUC with greater discretion to hire, compensate, train, and assign staff. Under existing law, the PUC operates within the City's Civil Service system. Under the proposed Charter Amendment, the PUC would have the authority to (a) create employee classifications, exempt positions (for up to 2.5 percent of the total PUC workforce, exclusive of existing Charter exempt positions), incentive compensation plans, and individual employment contracts for top-level managers, and (b) select its own worker's compensation carrier. The intent of this proposed Charter change is to enhance organizational efficiency and effectiveness, and to promote labor stability to

ensure that the PUC's capital improvement plan is completed expeditiously, according to Ms. Clayton.

(i) Permit the financing of needed capital improvements through revenue bonds or other financing methods. Under existing law, revenue bonds require either voters' majority approval or, under certain circumstances, approval of three-quarters of the Board of Supervisors[2]. The PUC, with Board of Supervisors approval, can (a) issue water or clean water revenue bonds so long as issuance results in net debt service coverage savings, and (b) enter into State or Federal loans to protect or enhance water resources or the environment, subject to a requirement that the loan not increase the amount of voter-approved debt or refund existing bonds and result in net debt service savings. Ms. Clayton states that the Charter specifies the flow of funds for water and clean water revenues but such Charter priorities do not conform to the priorities required by existing bond indentures. Under the proposed Charter Amendment, an exception would be added that provides that if the utility has a pre-existing bond indenture that specifies a different priority of funds, then the priority specified in the bond indenture would predominate. The PUC would be required to secure an independent engineer's analysis before issuing such revenue bonds. The PUC would be authorized to enter into agreements with other governmental entities, including the proposed San Francisco Bay Area Regional Financing Authority[3], in connection with financing and constructing capital projects that benefit San Francisco and its regional customers. Such agreements may provide for the issuance of debt on behalf of San Francisco.

(j) Give the Board of Supervisors the ability to establish a Citizen Advisory Committee if it is not duplicative of

[2] Three-quarters approval of the Board of Supervisors is required for (a) compliance with State or Federal water and clean water orders, and (b) reconstruction or replacement of existing water facilities.

[3] Ms. Clayton states that the proposed San Francisco Bay Area Regional Financing Authority is currently being set up by the State Legislature (Spier 1870).

other existing committees. Existing law does not provide for such a committee.

Comments:

1. Attachment I, provided by the PUC, summarizes the PUC's analysis of the costs and benefits of the proposed Charter Amendment.

2. Proposed Section 8B.121(e)(1) would provide for the General Manager to be appointed by the PUC, rather than by the Mayor choosing from a shortlist of three candidates chosen by the PUC as is the current practice[4], and to be employed under an individual contract, rather than as a member of the Municipal Executives Association, as is currently the case. The General Manager's compensation would be comparable to the compensation of United States chief executive officers of public water, waste water, and/or power systems, after an independent survey determines which positions most closely resemble the PUC. The proposed Charter Amendment does not specify by whom the independent survey would be conducted. In addition, the PUC shall provide an incentive compensation bonus plan for the General Manager based on performance goals established by the Commission.

3. The Budget Analyst notes that under this Charter Amendment, the PUC may not transfer surplus Hetch Hetchy funds to the City's General Fund. The last six years' transfers from Hetch Hetchy to the General Fund, were as follows:

[4] Under the Charter's existing Section 3.100(18), the Mayor has the power to appoint departmental heads, and under the Charter's existing Section 4.102(5), the PUC has the authority to submit three qualified candidates to the Mayor from which he can select the PUC General Manager.

Year	Hetch Hetchy Transfer to General Fund
FY 1996-97	$37,703,000
FY 1997-98	$45,703,000
FY 1998-99	$42,703,000
FY 1999-2000	$39,850,000
FY 2000-2001	$29,850,000
FY 2001-2002	$0
FY 2002-2003 (projected)	$0

4. The Budget Analyst notes that the subject Charter Amendment's proposal to permit the PUC to exercise greater independence in contracting, purchasing, and selecting providers of goods and services would permit the PUC to enter into certain contracts without Board of Supervisors review or approval.

5. In Attachment I, the PUC estimates costs for periodic cost-of-service based rate studies (up to $200,000 every five years), increased legal counsel (approximately $300,000 annually), and miscellaneous expenditures necessary to organize and run PUC meetings (approximately $10,000 annually). The PUC notes that there are various personnel matters for which costs cannot be readily quantified at this time.

6. As of the writing of this report, the Controller's Office has not completed its estimates of the cost of the proposed Charter Amendment pending amendments to the proposal. As stated in Attachment II, the Controller will prepare a cost estimate when the major provisions of this Charter Amendment are finalized.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

DATE: JUNE 20, 2002

TO: BOARD OF SUPERVISORS BUDGET ANALYST

FROM: BILL BERRY, ASSISTANT GENERAL MANAGER FOR FINANCE & ADMINISTRATION, SFPUC

SUBJECT: **RE: FILE 02-0887** - COSTS AND BENEFITS OF THE PROPOSED CHARTER AMENDMENT FOR WATER AND CLEAN WATER SERVICES

The Charter Amendment, which would establish a new article VIIIB by adding Sections 8B.120 - 128, amend sections 9.111-1 and 4.112, and delete section 16.103, articulates new and changed PUC oversight responsibilities, and ongoing administrative and management framework. From the perspective of SFPUC management, the following are the anticipated costs and benefits of this Charter Amendment.

COSTS

While the proposed changes would provide significant benefits as outlined below, they would nonetheless entail additional costs to effect a new PUC business model. It should be noted that the costs outlined herein do not represent an exhaustive list, but rather a compilation of certain known and obvious costs at this time. There are some items that the SFPUC cannot adequately quantify at this time, and potentially other unanticipated costs that could materialize in the future. The projected costs are as follows:

- **PERIODIC COST OF SERVICES STUDIES**

  The estimated cost of conducting a cost-of-service based rate study every five years is within a range of $120,000 to $200,000 per study.

- **INCREASED LEGAL COUNSEL COST**

  It is anticipated that legal counsel cost would increase by approximately $300,000 annually, consistent with the anticipated level of various contracts and agreements pursuant to the Charter Amendments.

- **RATE FAIRNESS BOARD**

  An annual cost of $10,000 is projected for miscellaneous expenditures necessary to organize and run the meetings of this board.

- **PERSONNEL COSTS**

  There are various other personnel related matters with costs that cannot be readily quantified at this time. The PUC will engage in a study and review of these personnel matters to come up with cost estimates. These include but not limited to; (a) benchmarking executives and managers salaries and bonuses to industry standards, (b) personnel cost of executing individual employment contracts, and (c) setting up and managing separate workers compensation program.

BENEFITS

The benefits of this proposed Charter Amendment would be significant, including:

- **Implement Best Practice**

  The amendment provides the SFPUC with an efficient, effective and streamlined operating framework to conduct the water and clean water business consistent with best practice in the industry.

- **Funding for the SFPUC's Capital Improvement Program**

  The Charter Amendment would provide authorization, with Board of Supervisors approval, to issue Revenue Bonds and other forms of indebtedness to fund the SFPUC's recently approved CIP.

- **Ending the Proposition H Rate Freeze**

  The Charter Amendment would replace the rate freeze with a new mechanism for approving future rate increases. This is necessary to reverse the financial deterioration (low and declining reserve, potential deficit, and declining bond rating) that has particularly affected the Clean Water Enterprise.

- **Management Flexibility**

  The Charter Amendment would provide a number of specific reforms that would enhance the SFPUC's control over its operations, the ability to undertake the capital program, to efficiently manage operational and financial affairs, and to insure a high level of accountability in the performance of PUC business. It is expected that many of these reforms would enable the SFPUC to streamline the time and costs required to undertake hiring, contracting and other business activities, however, it is not possible to quantify the costs or potential savings at this time.

Summary

As outlined, the foregoing represents SFPUC management projection of known costs and anticipated benefits of the Charter Amendments. These are by no means an exhaustive list as SFPUC is continuing to study the potential costs and benefits accruing to each enterprise and our customers as a result of these changes. SFPUC will update the BOS Budget Analyst and the members of the BOS with any new findings as additional information becomes available.

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If you have any questions or desire additional information, please email me at wberry@puc.sf.ca.us or call me at (415) 554-2457.

Enclosures

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLL

Edward Harring
Contro

June 21, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 020887
Charter Amendment to create a new Article VIIIB to add Sections 8B.120 through 8B.128, amend Section 9.111-1 and 4.112 and delete Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing, hiring and selection of providers; reporting and planning requirements; revenue bonds or other financing methods.

Dear Ms. Young:

It is my understanding that amendments to this proposal are being prepared at this time. When the major provisions of this Charter proposal are known, my office will prepare a cost estimate.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 5 - File 02-0938

Proposed Ballot Measure:	Charter Amendment amending Appendix A8.506-2 relating to retirement benefits for miscellaneous safety employees.
Draft:	First
Sections Affected:	Appendix A8.506-2.
Description:	The proposed Charter Amendment, if approved by the voters, would allow the Board of Supervisors and the Community College Board to approve contracts with the Board of Administration of the Public Employees' Retirement System of the State of California providing for the membership of miscellaneous safety employees in the California Public Employees' Retirement System (PERS) even if such membership increases the overall costs to the City and County or Community College District. At present, the Board of Supervisors and the Community College Board may approve such contracts (or amendments to contracts) only if they will result in a net savings or no change in costs to the City and County of San Francisco and to the Community College District. "Miscellaneous safety employees" are defined as probation officers, airport police officers, district attorney and public defender investigators, coroner investigators, juvenile court counselors, institutional police, fire safety inspectors and fire protection engineers who are not members of the retirement plan for uniformed Fire Department personnel.
Comments:	1. Currently, the Board of Supervisors and the Community College Board may contract with the PERS Board of Administration to provide miscellaneous safety employees retirement benefits through PERS rather than through the San Francisco Employees' Retirement System (SFERS) only if the PERS contract is of equal or lower cost than the existing contract provisions provided to that group of employees. The proposed Charter Amendment would enable the Board of Supervisors and the Community College Board to enter into contracts or contract amendments with the PERS Board of Administration making miscellaneous safety employees

members of PERS even if such membership results in increased costs to the City and the Community College District.

2. As noted in the Attachment, provided by Ms. Clare Murphy of SFERS, there is no cost to this proposed Charter Amendment in and of itself. However, Ms. Murphy states that the proposed Charter Amendment would remove the spending limits on the Board of Supervisors and the Community College Board, and could result in increased costs to the City and County of San Francisco and the Community College District in the future. According to Ms. Murphy, if the proposed Charter Amendment is approved, the Board of Supervisors and the Community College Board would have the authority to approve contracts which (a) include miscellaneous safety employees who are not currently members of PERS, or (b) change benefits for miscellaneous safety employees who are currently members of PERS, even if such contracts result in increased costs to the City or Community College District.

Currently, coroner investigators, public defender investigators, fire safety inspectors and fire protection engineers are the only miscellaneous safety employees that are not members of PERS. Ms. Murphy estimates that there are fewer than 1,000 City and Community College District employees currently in PERS, and the proposed Charter Amendment would make no more than 100 additional City and Community College District employees eligible for PERS. According to Ms. Murphy, if the voters approve the proposed Charter Amendment granting authority to the Board of Supervisors and the Community College Board to enter into new contracts or amend existing contracts with the Board of Administration of the Public Employees' Retirement System (PERS) of the State of California for miscellaneous safety employees, any new or amended contracts would most likely increase the level of benefits of the affected employees, resulting in increased costs. Ms. Murphy explains that miscellaneous safety employees who are currently members of PERS, or members of the City's Employees' Retirement System switching to PERS, could not have their benefit levels reduced because of

their vested rights in their current retirement system. Therefore, any changes to current employees' retirement benefits would necessarily result in increased or equivalent levels of benefits and increased or equivalent costs. According to Ms. Murphy, it is not possible to estimate the potential fiscal impact of this change in the absence of a specific proposal for new or amended contracts with PERS.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

City and County of San Francisco

San Francisco City and County
Employees' Retirement System
Office of The Executive Director

June 17, 2002

Ms. Gloria Young
Clerk of the Board
Board of Supervisors
City Hall, Room 244
Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Re: File Number 020938
Charter Amendment –Retirement
Benefits for Miscellaneous Safety
Employees (Ammiano)

Dear Ms. Young:

As required by charter section A8.500 of the San Francisco City and County Charter, the following is the cost and effect report relating to the proposed amendment of charter section A8.506-2.

Effect

The proposed amendment deletes one sentence from the existing provision. The deletion removes the limitation on the Board of Supervisors' authority to establish or amend contracts with the California Public Employees' Retirement System. Currently the charter section limits the Board of Supervisors authority to those contracts (or contract amendments) which create no net increase in cost to the city and county or the community college district. The proposed amendment removes the "no net increase in cost" limitation.

Cost

This proposed charter amendment does not in and of itself impact the cost of the San Francisco contracts for retirement benefits for miscellaneous safety employees with California Public Employees' Retirement System. The removal on the "no net increase in cost" sentence will allow future contracts or contract amendments, which will result in an increase over the cost of retirement benefits prior to the new contract or contract amendment(s).

Representatives of the San Francisco Employees' Retirement System will be available to answer questions at the Rules and Audits Committee meeting on July 5, 2002.

Very truly yours,

Clare M. Murphy
Executive Director and Acting Actuary

cc: Mayor Willie L. Brown Jr.
Supervisor Tom Ammiano, President, Board of Supervisors
Mr. Dennis Herrera, City Attorney
Supervisor Tony Hall, Chair, Rules and Audits Committee
Supervisor Matt Gonzalez, Vice Chair, Rules and Audits Committee
Supervisor Gerardo Sandoval, Member, Rules and Audits Committee
Controller Ed Harrington
Harvey Rose, Budget Analyst
Leanne Nhan, Ofiice of th Budget Analyst
Eve Eichwald, Controllers Office
Deborah Muccino, Clerk, Rules and Audits Committee

CCM/gm

Item 6 - File 02-0888

Note: An Amendment of the Whole was approved at the June 25, 2002 Rules and Audits Committee Meeting.

Proposed Ballot Measure: Charter Amendment clarifying that Charter Section 13.104.5 does not prohibit City personnel from providing to the Department of Elections services that are indistinguishable from services provided to other City departments and unrelated to the conduct of elections; authorizing the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees working for the Department of Elections; eliminating the requirement that prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; and specifying that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan.

Draft: Third

Section Affected: Section 13.104.5

Description: On November 6, 2001, the voters of San Francisco approved Proposition E, a Charter Amendment which added a new Section 13.104.5 to the City's Charter, to (a) provide that no City employees and officers, other than the employees and officers in the Department of Elections, can perform any function relating to the conduct of an election, (b) permit the Elections Commission, upon a finding that the Department of Elections will not have adequate staffing to conduct an election, request a waiver from the Board of Supervisors so that City employees and officers may assist the Department of Elections on election day, and (c) state that the "Sheriff shall be responsible for preserving the security and integrity of elections in all matters including but not limited to transporting all ballots and all other documents or

devices used to record votes from the polls to the central counting location and providing security for the ballots until the certification of election results".

The proposed Charter Amendment would clarify Charter Section 13.104.5 to state that City personnel are prohibited from providing services that are unique to the Department of Elections, unless a waiver is granted by the Board of Supervisors. The City Attorney's Office advises that City personnel are currently not prohibited from providing such general support services that are unrelated to the conduct of an election and that are indistinguishable from services performed for other City departments. The proposed Charter Amendment specifies that these general support services that City personnel are authorized to provide to the Department of Elections include, but are not limited to, services relating to human resources, personnel processing, payroll, workers compensation, budgeting, accounting, procurement, contracting and the maintenance of telephone and voice mail systems.

In addition, the proposed Charter Amendment would authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the ban on City employees working on elections. This Charter Amendment would delete two current requirements, (a) that prior to seeking a waiver from the Board of Supervisors, the Elections Commission must make a finding that it would not have adequate staffing to conduct an election, and (b) that such a waiver would only be applicable on the day of an election.

The proposed Charter Amendment would also limit the role of the Sheriff in elections by stating that the Sheriff is responsible for transporting voted ballots and all other documents or devices used to record votes from the polls to the central counting location and approving a security plan for the ballots until the certification of election results. The proposed Charter Amendment would delete the requirement that the Sheriff is responsible for preserving the security and integrity of election in all matters

including but not limited to transporting all ballots...and providing security for the ballots until the certification of election results.

Comments:

1. Ms. Julie Moll of the City Attorney's Office advises that the proposed new provisions are intended to clarify the provisions of Proposition E that was approved by the San Francisco voters in November of 2001, and more clearly specify the role of the Sheriff's Department for providing security for elections.

2. The Amendment of the Whole, which was introduced on June 25, 2002, modified the restrictions on political activity and outside employment for the Elections Commission, Ethics Commission and City Attorney.

3. The Budget Analyst notes that prior to the approval of Proposition E, the Department of Elections relied on approximately 66 volunteer Field Election Deputies (FEDs), provided by approximately 14 City departments, at a loss of productivity to these other departments, but at no cost to the Department of Elections, to assist in conducting each election. However, the Director of Elections did not recommend and the Elections Commission did not waive the provision or seek such a waiver from the Board of Supervisors to use comparable City personnel as FEDs to assist with the March 5, 2002 election. Instead, the Department of Elections hired and trained 102 new Temporary Salary workers as FEDs at an average cost of $14.71 per hour for an average of 44 hours per FED, at a cost of approximately $70,000 for the one election.

4. The Budget Analyst also notes that the Sheriff's Department expended an estimated $347,467 for the March 5, 2002 election, an estimated $398,542 from November of 2001 through February of 2002 and an additional $59,192 to provide security for the Department of Election ballots stored at Pier 29, for a total of $805,201 of Sheriff's expenses for the Department of Elections in FY 2001-2002. As discussed above, under the existing provisions of

Proposition E, the Sheriff is responsible for preserving the security and integrity of elections in all matters. The proposed Charter Amendment would limit the responsibility of the Sheriff's Department to transporting voted ballots and all other documents or devices used to record votes from the polls to the central counting location and approving a security plan for the ballots until the certification of the election results.

5. The Attachment, provided by the Controller's Office estimates that the proposed Charter Amendment would reduce costs by approximately $150,000 annually, assuming two elections. Such reductions in costs would result from more flexibility for the Department of Elections to obtain a waiver to use City employees as Federal Election Deputies (FEDs) and for other functions previously performed by City employees. In the Attachment, the Controller's Office also notes that the proposed Charter Amendment provides that the Sheriff approve a elections security plan and may limit the Sheriff's direct functions to providing security for transportation of voted ballots. Although the Controller's Office advises that such Charter Amendment provisions may allow for additional savings for the City, the Controller's Office reports that any such savings would depend on the Sheriff's decisions regarding election security procedures.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLL

Edward Harring
Contro

June 24, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 020888
Charter Amendment permitting the Department of Elections to request waivers to conduct an election using Cit staff and narrowing the election responsibilities of the Sheriff.

Dear Ms. Young,

Should the proposed charter amendment be approved by the voters, in my opinion, the cost of government may b decreased by approximately $150,000 for a typical fiscal year with two elections. The amendment allows th Department of Elections more flexibility to obtain a waiver to use City employees for an election and could resu in these savings if the Department chooses to use City employees as Federal Election Deputies and for oth functions which were performed by City employees in prior years.

The proposed charter amendment also provides that the Sheriff shall approve a security plan for the conduct elections generally, and that the Sheriff's direct functions may be limited to providing security for transportation voted ballots. These provisions may allow for additional savings but any savings would depend on the Sheriff decisions regarding election security procedures.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 7 - File 02-0886

Proposed Charter Amendment: Charter Amendment adding Sections 2.105-1 and 4.132 and amending Section 10.104 to (1) require a vote of not less than two-thirds of the members of the Board of Supervisors to change any ordinance or resolution that establishes or implements homeless policy or services within the same fiscal year in which such ordinance or resolution was adopted, (2) establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy, and (3) authorize not more than five staff members for the Local Homeless Coordinating Board who shall be exempt from Civil Service rules.

Draft: First

Charter Sections Affected: Sections 2.105-1, 4.132 and 10.104

Description: The proposed Charter Amendment, if approved by the voters, would:

(a) require a two-thirds vote of the Board of Supervisors to repeal or make a material substantive amendment to an ordinance or resolution establishing or implementing homeless policies and/or services in the same fiscal year in which the original ordinance or resolution was adopted;
(b) establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation, and evaluation of homeless policy; and
(c) authorize the creation of up to five staff positions, which would be exempt from the Civil Service, to provide research, policy analysis, and administrative support for the Local Homeless Coordinating Board.

The proposed Charter Amendment would create new requirements for the introduction and passage of resolutions and ordinances establishing or implementing homeless policies and services. First, the proposed Charter Amendment would require a two-thirds vote of the Board of Supervisors to overturn or amend existing legislation regarding homeless policies and services which had been adopted in the same fiscal year. Second, the proposed Charter Amendment would authorize the President of the Board of Supervisors to determine whether a proposed ordinance or resolution establishes or implements homeless policies and/or services. This decision may be overruled by a Board of Supervisors motion adopted by a two-thirds vote. Third, the proposed Charter Amendment would require that all departments, boards, agencies and commissions submit proposed legislative and budget actions related to homelessness to the Local Homeless Coordinating Board for review and comment prior to adoption of any new legislation or budget action.

The proposed Charter Amendment would establish a new Local Homeless Coordinating Board as an advisory body to the Mayor and the Board of Supervisors. The proposed new Local Homeless Coordinating Board replaces the existing Local Homeless Coordinating Board, which was established by a Board of Supervisors resolution in August of 1997 to comply with the Federal Housing and Urban Development (HUD) requirement that cities and counties receiving Federal homeless funds establish a Local Homeless Coordinating Board. Under the proposed Charter Amendment, the Local Homeless Coordinating Board would review and comment on all proposed homeless policies, advise on implementation of such policies, and evaluate the effectiveness of proposed policies. As noted above, the proposed Charter Amendment requires that City departments, boards, agencies and commissions submit all proposed legislation and budgetary actions on homeless policy and

services to the Local Homeless Coordinating Board for review and comment prior to enactment and with sufficient advance notice to allow the Local Homeless Coordinating Board to conduct its review and comply with all public meeting laws. Under the proposed Charter Amendment, if the Local Homeless Coordinating Board fails to respond in a timely matter, the lack of response shall be deemed as disapproval of the particular matter. The proposed Charter Amendment authorizes the Chair of the Local Homeless Coordinating Board to decide whether a legislative or budget action submitted to the Local Homeless Coordinating Board is a homeless policy. This decision may be overruled by a motion of the majority of the Local Homeless Coordinating Board.

Finally, the proposed Charter Amendment would authorize the Local Homeless Coordinating Board to appoint up to five Civil Service exempt positions, which would be included in the DHS annual budget beginning in FY 2003-04. These positions would serve as support positions for the Local Homeless Coordinating Board, including research, policy analysis and administrative support.

Comments:

1. As noted above, the proposed Charter Amendment authorizes the President of the Board of Supervisors to determine whether a proposed ordinance or resolution establishes or implements homeless policies and/or services, and the Chair of the Local Homeless Coordinating Board to determine whether a legislative or budget action submitted to the Local Homeless Coordinating Board is a homeless policy. Under the proposed Charter Amendment, "homeless" is defined as "people who lack fixed, regular and adequate nighttime residences and who have their primary nighttime residences in one or more of the following categories: shelters, streets, vehicles, make-shift housing, doubled-up housing, and transitional housing; or who are about to be evicted or released from institutions and who have no viable alternative residences."

2. Currently, the Local Homeless Coordinating Board is a 34-member body, including 15 members appointed by the Mayor, 11 members appointed by the Board of Supervisors, and 8 members designated by City Departments. The new proposed Local Homeless Coordinating Board would consist of 22 members who would be appointed as follows: (a) each member of the Board of Supervisors would appoint one member of the Local Homeless Coordinating Board, for a total of 11 Local Homeless Coordinating Board members appointed by the Board of Supervisors, (b) the Mayor would appoint 9 members including one representative from the Mayor's Office and eight representatives from the community, and (c) the Directors of the Department of Human Services (DHS) and the Department of Public (DPH) or their designees would be ex officio members. All members, with the exception of the two ex officio members, would serve one two-year term. However, all terms, except for those of the ex officio members, would expire upon the expiration of the term of the appointing officers.

3. As previously noted, the Board of Supervisors and all departments, boards, agencies and commissions would submit proposed legislative and budget actions related to homelessness to the Local Homeless Coordinating Board for review and comment before adoption of any new measures by the Board of Supervisors. The Local Homeless Coordinating Board would hold regular public meetings and would provide an annual written report to the Mayor and the Board of Supervisors by November 30th of each year.

4. Currently, the Mayor's Office of Community Development (MOCD) budget includes $70,791 for the Local Homeless Coordinating Board, including $65,791 in salary and fringe benefit costs for one position to provide administrative support and $5,000 for related supplies, postage and telecommunication costs.

5. Under the proposed Charter Amendment, five new Civil Service exempt positions would serve as staff members to the Local Homeless Coordinating Board and would be included in the DHS annual budget. The proposed Charter Amendment does not specify if these five positions would include the existing MOCD administrative support position.

However, in a report prepared by the Controller's Office on May 15, 2002, the Controller recommended increasing the staff of the Local Homeless Coordinating Board from the current one position to three full-time positions, including a policy and data analyst, a grant writer, and an administrative assistant.[1] Further, the Controller recommended that the Mayor's Office on Homelessness could fund some portion of these positions from its existing budget, and that these positions should be in the DHS budget but be permanently assigned to the Local Homeless Coordinating Board. Although the Controller's report recommends a total of three positions, the proposed Charter Amendment would add up to five positions, which would be Civil Service exempt positions and would be added to the list of Civil Service exempt positions in the City Charter. Such Civil Service exempt positions are excluded from competitive Civil Service selection, appointment and removal procedures.

4. As noted in the Attachment provided by the Controller's Office, the Controller estimates that the proposed Charter Amendment could result in an increase of up to $471,000 annually, including up to $436,000 for five additional staff and approximately $35,000 for the new Local Homeless Coordinating Board to operate. The Controller's estimate notes that if fewer than five staff are employed or existing City personnel are reassigned to this responsibility, the cost of the proposed Charter Amendment would be less.

[1] "Homeless Services: The City Lacks Commonly Accepted Goals and an Effective Plan for its Homeless Services", prepared by the Office of the Controller, May 15, 2002.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Attachment I

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLER

Edward Harrington
Controller

June 21, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 020886
Charter Amendment related to homeless policy, including requiring a two-thirds (2/3) vote of the Board to change any enactment regarding homeless policy within the same fiscal year in which such enactment was adopted, and establishing the Local Homeless Coordinating Board supported by not more than five (5) staff members.

Dear Ms. Young:

Should the proposed charter amendment be placed on the ballot, in my opinion, there could be an increase in the cost of government of up to $471,000. The Charter Amendment specifies that the Local Homeless Coordinating Board will have 22 members and up to five (5) staff members. Should the Board employ fewer than five staff or reassign existing personnel or positions the cost would be less.

The cost associated with the proposed five additional staff members of could be up to $436,000 annually: this cost assumes a senior manager, a senior analyst, two junior analysts and an administrative assistant. The cost of a 22-member Board could vary greatly depending on how the Board functions; however a typical City commission costs approximately $35,000 to operate.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 8 - File 02-0885

Note: This item was continued by the Rules and Audits Committee at its meeting of June 26, 2002.

Proposed Charter Amendment:	Charter Amendment adding Section A8.365 to provide supplemental compensation for up to 16 weeks for eligible City employees on parental leave for temporary pregnancy disability or the birth, adoption or placement of a foster care child with a City employee's family.
Draft:	First
Charter Sections Affected:	Section A8.365
Description:	Currently, under Federal and State law and the City's Civil Service rules, the City provides unpaid leave for eligible City employees who are (a) temporarily disabled by pregnancy[1], or who (b) take time off following the birth, adoption or placement of a foster care child with an employee's family to care for the child. Ms. Gina Roccanova of the City Attorney's Office advises that under Federal and State law a person requesting leave following the birth, adoption or placement of a foster care child with an employee's family must have worked at least 1,250 hours in the previous 12 months and have worked at least 12 consecutive months to be eligible for family medical leave. Ms. Roccanova states that to be eligible for family care leave under the City's Civil Service rules to care for a child following the birth, adoption or placement of a foster care child, an employee must have worked one or more years of continuous service in any Civil Service status. Ms. Roccanova advises that there is no minimum previous employment time requirement for unpaid pregnancy disability leave.

[1] Temporary pregnancy disability is defined as an employee's inability to work, as certified by a healthcare professional, for reasons related to pregnancy, child birth or related conditions.

According to Ms. Roccanova, under the Federal Family Medical Leave Act, an employee is eligible for up to 12 weeks of leave following the birth, adoption or placement of a foster care child and under State law, if an employee is disabled by pregnancy the employee is eligible for up to an additional four months of leave. Ms. Roccanova advises that under the City's Civil Service rules, eligible City employees can take up to one year of leave for pregnancy disability or to care for a child after the birth, adoption or placement of a foster care child.

Currently, Ms. Roccanova advises that for pregnancy disability leave, if a City employee has any accrued paid leave, including sick leave and vacation credits, the employee can use such paid leave during the employee's period of pregnancy disability leave. However, after accrued paid leave is exhausted, any remaining leave used is unpaid. Ms. Roccanova advises that such employees may also be eligible for State Disability Insurance (SDI)[2] pay during the period of unpaid leave, if the employee's medical condition has been certified by a healthcare professional.

Ms. Roccanova states that currently City employees who take leave to care for a child following the birth, adoption or placement of a foster care child but who are not on pregnancy disability leave, may, and in some cases are required to, take accrued paid leave (for example, vacation credits, administrative leave and floating holidays) during their time off, but are not permitted to use sick leave. After accrued paid leave is exhausted, any remaining leave used to care for a child following the birth, adoption or placement of a foster care child is unpaid.

[2] California State Disability Insurance (SDI) is a partial wage-replacement insurance plan for California workers. The SDI program is funded through employee payroll deductions. SDI provides short-term benefits to eligible workers who suffer a loss of wages when they are unable to work due to a non-work-related illness or injury, or a medically disabling condition from pregnancy or childbirth.

The proposed Charter Amendment would add Section A8.365 to:

- Supplement an employee's accrued paid leave and SDI benefits for up to, but no more than 16 weeks for eligible City employees on parental leave for temporary pregnancy disability or the birth, adoption or placement of a foster care child with an employee's family.
- Establish eligibility guidelines and limitations for supplemental pay during parental leave.
- Call for an agreement to be executed between the City and a given employee to consider such supplemental pay a loan if a given employee does not work for the City for at least six months after returning from parental leave. The loan would be payable to the City with interest in equal monthly installments not to exceed five years, commencing 30 days after an individual's separation from City employment.

If the proposed Charter Amendment is approved by the voters in November of 2002, it would become effective on July 1, 2003.

Comments:

1. The following employees would be eligible for supplemental pay while on approved parental leave: (1) permanent, provisional and exempt employees whose normal work week is not less than 20 hours upon completion of six months of continuous service with the City; and, (2) all other employees, including as-needed employees, who have worked 1,040 hours in the 12 months prior to the beginning of the approved parental leave and whose average work week is not less than 20 hours.

2. Under the proposed Charter Amendment, qualified employees on approved parental leave would receive no more than their regular base pay for up to 16 weeks subject to the following conditions: (a) the employees must first exhaust all accrued paid leave (for example, administrative leave and floating holidays), other than vacation,

before receiving any supplemental pay while on parental leave but if they choose not to exhaust such leave, then that time would be deducted from the supplemental pay; (b) the amount of the supplemental pay would be reduced by any payments received by the employee from a Federal, State or other local government agency or any paid leave not exhausted as of the start date of the parental leave; and, (c) the 16-week period would be reduced by any paid leave, other than vacation, taken for purposes of the proposed Charter Amendment within the 12 months prior to the current parental leave request.

3. As noted above, under the proposed Charter Amendment, any individual receiving the proposed supplemental pay would be required to execute an agreement with the City that stipulates that if he or she does not work for the City for at least six months after returning from parental leave, such supplemental pay would be considered a loan, payable with interest to the City. The interest rate on the loan would be at a rate equal to the greater of (i) the rate of interest received for the concurrent period by the Treasurer's Cash Account[3]; or (ii) the minimum amount necessary to avoid imputed income under the Internal Revenue Service Code of 1986, as amended from time to time or any successor statute.

4. Under the proposed Charter Amendment, during parental leave, the City would continue to pay for the employee's retirement and health benefits. Retirement contributions would be based on the actual amount of City pay received while on the approved parental leave, excluding outside payments such as State Disability Insurance. Ms. Clare Murphy of the Employee Retirement System advises that the additional pension related costs would be 7.5 percent of the supplemental pay.

[3] Mr. Tom Carrick of the Treasurer/Tax Collector's Office states that the Treasurer's Pooled Cash Account consists of non-dedicated investment funds, which will be expended by the City within approximately six months of such investment. Mr. Carrick advises that interest earned on the Treasurer's Pooled Cash Account for May of 2002 is 3.259 percent.

However, as of the writing of this report, Ms. Murphy is uncertain what the additional supplemental pay is estimated to be, therefore, she cannot estimate the additional pension costs. Ms. Roccanova advises that currently during unpaid leave, the City does not pay for retirement benefits. Ms. Roccanova further advises that under the City's Administrative Code, Section 16.701 (b), the City pays for its share the health benefits for City employees who are on unpaid leave for only the first 12 weeks of such leave. In addition, for employees who are on approved personal leave following family care leave, the City would continue to pay its share of such health benefits.

5. Ms. Roccanova advises that currently the City does not maintain any centralized records of the amount of time taken for pregnancy disability, the birth or adoption of a child or the placement of a foster child with an employee's family. Rather such records are managed by individual City departments.

6. As noted in the Attachment provided by the Controller's Office, the Controller estimates that the cost of the proposed Charter Amendment would be approximately $13.5 million annually.

As requested by the Sponsor of the proposed Charter Amendment, Ms. Michelle Allersma of the Controller's Office advises that, if the proposed Charter Amendment were to require employees to first use all of their accrued paid leave, including their vacation leave, the Charter Amendment is estimated to cost approximately $7.9 million annually, or approximately $5.6 million less than the currently proposed Charter Amendment. Ms. Allersma advises that the Controller's Office will be meeting with the City's actuary, prior to the July 5, 2002 Special Rules and Audits Committee Meeting, to confirm additional cost estimates for alternatives to the proposed Charter Amendment.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Attachment

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLLER

Edward Harrington
Controller

June 24, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 020885
Charter Amendment to provide City employees with compensation to supplement state disability insurance payments, paid sick leave, compensatory time, and other forms of paid leave, to ensure that an employee will receive the equivalent of the employee's salary for 16 weeks while on approved parental leave.

Dear Ms. Young:

Should the proposed charter amendment be approved by the voters, in my opinion, there would be an increase in the cost of government of approximately $13.5 million annually. This is a preliminary estimate based a number of assumptions we have made where data is not available.

This cost estimate would be primarily affected by changing the assumptions about the number of employees who would apply for parental leave and who are not eligible for State Disability Insurance (SDI). SDI pays an average of 55 percent of full salary to an employee temporarily disabled by pregnancy. Employees who do not have SDI coverage under their Memorandum of Understanding with the City (Police, Fire, Sheriff, and attorneys), or who become parents without being pregnant themselves (men, adoptions, foster care) would not receive SDI payments. The cost of their parental leave to the City would therefore be significantly higher than for those employees with SDI. Applying common industry standards of child-bearing (and by extension, adoption) age ranges for men and women to the composition of the City's work force shows that for every woman who would receive parental leave compensation, approximately 1.8 men would be eligible. The cost of this amendment would decrease if more City employees were eligible to receive SDI payments or if fewer employees who are not eligible for SDI payments actually requested parental leave compensation.

For the purposes of this analysis, we have also assumed that approximately 20 percent of female and five percent of male employees would leave City employment voluntarily without returning to work for at least six months and would therefore be required to refund parental leave compensation to the City. The cost of this amendment would increase if more employees returned to work following a parental leave.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 9 - File 01-1957

Note: File 01-1957 was continued from the June 26, 2002 Rules and Audits Committee meeting.

Proposed Charter Amendment: Charter Amendment amending Article VI, Section 6.100 and adding Section 6.108 to create the Public Advocate.

Draft: Second

Charter Sections Affected: Article VI, Sections 6.100, and 6.108

Description: The proposed Charter Amendment would create the Public Advocate. Under the proposed Charter Amendment, Article V, Section 6.100 would be amended to add "Public Advocate" to the City and County of San Francisco officers required to be elected. The Public Advocate would be elected to a four-year term, commencing in November of 2003, in the same manner as other elected officials, including the Assessor-Recorder, the City Attorney, the District Attorney, the Public Defender, the Sheriff, and the Treasurer. The role of the Public Advocate would be to:

- Review complaints regarding City services and programs that are recurring, multi-neighborhood, or Citywide, and make recommendations to improve the City's response to such complaints.
- Receive, investigate, and attempt to resolve individual complaints regarding City services and administrative actions of City agencies, except for those which (i) another City agency is required by law to adjudicate, (ii) may be resolved through a grievance mechanism established by collective bargaining agreement or contract, or (iii) involve allegations of conduct which may constitute a violation of criminal law or a governmental ethics law.
- Inquire, on the request of a resident, taxpayer, neighborhood organization, elected official, or by his or her own motion, into any alleged failure by a City officer or agency to comply with any provision of the Charter, except for those matters which involve

conduct which may constitute a violation of criminal law or a governmental ethics code. If the Public Advocate concludes that there is any substantial failure to comply with any provision of the Charter, the Public Advocate will submit a preliminary report to the City official or agency involved in the inquiry and submit a final report to the Board of Supervisors, Mayor and City agency documenting the conclusions of the inquiry.

- Serve as a non-voting ex-officio member of City Commissions and committees of the Board of Supervisors, including introducing legislation to improve City programs and services. The Public Advocate may attend closed sessions of the Board of Supervisors and City Commissions, except for those sessions pertaining to personnel matters or closed Ethics Commission sessions pertaining to the Public Advocate.
- Establish programs and initiatives to assist underserved communities in gaining access to government.

Under the proposed Charter Amendment, the Public Advocate would be required to refer any allegation or complaint that may constitute a violation of criminal law or a governmental ethics law to the District Attorney. Additionally, when conducting an inquiry, the Public Advocate would be required to provide a draft report of the findings to the City official or agency involved in the inquiry and include any comments by the City official or agency in the final public report. Under the proposed Charter Amendment, the Public Advocate could hold public hearings in the course of fulfilling the obligations of the office of the Public Advocate and would be required to present to the Board of Supervisors prior to October 31 of each year a report on the activities of the office of the Public Advocate during the preceding fiscal year.

Comments:

1. The Public Advocate for New York City is an elected position, established in 1994. The New York City Public Advocate, who is elected for a term of four years, serves as (a) the presiding officer of the City Council but votes only in the case of a tie, and (b) an ombudsman responsible for resolving individual grievances, investigating and

reporting on recurring and citywide grievances, performing discretionary reviews of city agencies, and monitoring the public information and service complaint programs of city agencies. The Budget Analyst notes that the New York City Public Advocate differs from the Public Advocate, created by the proposed Charter Amendment, in that, under the proposed Charter Amendment, the proposed Public Advocate would not preside over the Board of Supervisors or have voting privileges and would not be responsible for performing discretionary reviews of City agencies. The New York Public Advocate does not have jurisdiction over grievances arising under collective bargaining agreements, violations of criminal law, or evidence of conflicts of interest, which is comparable to the jurisdiction of the Public Advocate under the proposed Charter Amendment. New York City agencies are also required to respond to the Public Advocate's requests for documents in a timely fashion. Under the proposed Charter Amendment, which contains a comparable provision, the Public Advocate would have timely access to all records and documents which the Public Advocate deems necessary to complete an inquiry.

2. As noted in the Attachment provided by the Controller's Office, the Controller estimates that the salary and fringe benefit costs of the proposed Public Advocate would be approximately $170,000 per year. The Controller has not made a specific cost estimate at this time for an Office of the Public Advocate, including support and professional staff.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Attachment

CITY AND COUNTY OF SAN FRANCISCO — OFFICE OF THE CONTROLLER

Edward Harrington
Controller

June 19, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 011957
Proposed Charter Amendment to create an elected Office of the Public Advocate

Dear Ms. Young:

Should the proposed charter amendment be approved by the voters, in my opinion, there would be an increase, in an unknown amount, in the cost of government associated with establishing the new position of Public Advocate. The costs associated with the new position would include, at minimum, the Public Advocate's salary and fringe benefits at an approximate cost of $170,000 per year.

In addition, the Public Advocate would also require support and professional staff to carry out the functions of receiving, investigating and resolving citizen complaints, establishing programs to assist underserved communities to gain access to government, as well as providing annual reports. The operating cost of the department would vary greatly depending on how these functions are carried out. For comparative purposes, the Public Advocate's Office for the City of New York, which has many of the functions specified under the proposed amendment, has a Fiscal Year 2001-2002 operating budget of approximately $2.6 million and a staff of approximately 35 full time employees to serve a population approximately eight times the size of San Francisco. A more specific cost estimate can be developed when further information is available on the proposed configuration of the new department.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 10 - File 02-0882

Note: File 02-0882 was continued from the June 26, 2002 Rules and Audits Committee meeting.

Proposed Charter Amendment: Charter Amendment amending Article VI, Section 6.100 and adding Section 6.108 to create the Auditor General.

Draft: Second

Charter Sections Affected: Article VI, Sections 6.100, and 6.108

Description: The proposed Charter Amendment would create a new Auditor General position. Under the proposed Charter Amendment, Article V, Section 6.100 would be amended to add "Auditor General" to the City and County of San Francisco officers that are required to be elected. The Auditor General would be elected to a four-year term, commencing in November of 2003, as are other elected officials, including the Assessor-Recorder, the City Attorney, the District Attorney, the Public Defender, the Sheriff, and the Treasurer.

Under the proposed Charter Amendment, the Auditor General would be responsible for periodic review of the implementation and administration of City services and programs. The Auditor General may review customer service plans prepared by City departments as required by this Charter, and make recommendations for improvements to these plans. In addition, the role of the Auditor General would be to:

- Review complaints submitted by groups and individuals regarding City services and programs that are recurring, multi-neighborhood, or Citywide, and make recommendations to improve the City's response to such complaints.
- Receive, investigate, and attempt to resolve individual complaints regarding City services and administrative actions of City agencies, except for those (i) for which a formal process for resolution has been established by

law or by implementing regulation, (ii) which may be resolved through a grievance mechanism established by collective bargaining agreement or contract, or (iii) which may constitute a violation of law, or give rise to claims against or on behalf of the City. According to the proposed Charter Amendment, other than these exceptions, the Auditor General may investigate complaints that a City department is not complying with the requirements in the Charter and any implementing ordinance with respect to customer services plans. If the Auditor General determines through the course of an investigation that circumstances may give rise to litigation against or on behalf of the City, the Auditor General shall consult with the City Attorney and proceed only as the City Attorney advises. The proposed Charter Amendment also requires the Auditor General to advise the complainant of the appropriate procedure for the resolution of the complaint.

- Inquire, on the request of a resident, taxpayer, neighborhood organization, elected official, or by his or her own initiative, into any alleged failure by a City officer or agency to provide services or programs as required by law, except for those matters which involve conduct which may constitute a violation of criminal law or a governmental ethics code. If the Auditor General concludes that there is any substantial failure to provide such services or programs, the Auditor General will submit a preliminary report to the City official or agency involved in the inquiry and submit a final report to the Board of Supervisors, Mayor and City agency documenting the conclusions of the inquiry.
- Undertake such performance or management audits as may be deemed necessary to help ensure that City programs and services are delivered in an efficient and effective manner, whether those services and programs are delivered directly by the City or indirectly through organizations contracting with the City. According to the Office of the Sponsor, this specific provision is still under consideration.
- Introduce legislation to improve City programs and services and make government more efficient.

- Establish programs and initiatives to assist under-served communities in gaining access to government.

Further, the Auditor General would be required to refer complaints regarding matters outside the jurisdiction of the Auditor General to the appropriate agency or, when the matter involves a possible violation of law, to the appropriate agency responsible for enforcement of the law. Additionally, when conducting an inquiry, the Auditor General would be required to provide a draft report of the findings to the City official or agency involved in the inquiry and include any comments by the City official or agency in the final public report. Under the proposed Charter Amendment, the Auditor General could hold public hearings in the course of fulfilling the obligations of the office of the Auditor General and would be required to present to the Board of Supervisors prior to October 31 of each year a report on the activities of the office of the Auditor General during the preceding fiscal year.

Comments:

1. The Public Advocate for New York City, established in 1994, is a comparable elected official to the proposed Charter Amendment's Auditor General. The New York City Public Advocate, who is elected for a term of four years, serves as (a) an ombudsman responsible for resolving individual grievances, investigating and reporting on recurring and citywide grievances, performing discretionary reviews of city agencies, and monitoring the public information and service complaint programs of city agencies and (b) the presiding officer of the City Council but votes only in the case of a tie. The Budget Analyst notes that the New York City Public Advocate differs from the proposed Auditor General created by the proposed Charter Amendment, in that, under the proposed Charter Amendment, the proposed Auditor General would not preside over the Board of Supervisors or have voting privileges. The New York Public Advocate does not have jurisdiction over grievances arising under collective bargaining agreements, violations of criminal law, or evidence of conflicts of interest, which is comparable to the jurisdiction of the Auditor General under the proposed Charter Amendment. New York City agencies are also required to respond to the Public

Advocate's requests for documents in a timely fashion. Under the proposed Charter Amendment, the Auditor General would have timely access to all records and documents which the Auditor General deems necessary to complete the investigations, inquiries and reviews, except for records and documents which are protected from disclosure or maintained by the District Attorney, City Attorney or the Ethics Commission for use in investigations authorized by State law or by the Charter.

2. As noted in the Attachment provided by the Controller's Office, the Controller estimates that the salary and fringe benefit costs of the proposed Auditor General would be approximately $170,000 per year. The Controller has not made a specific cost estimate at this time for an Office of the Auditor General, including support and professional staff.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLE

Edward Harringt
Control

June 19, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 020882
Proposed Charter Amendment to create an elected Office of the Auditor General

Dear Ms. Young:

Should the proposed charter amendment be approved by the voters, in my opinion, there would be an increase, in an unknown amount, in the cost of government associated with establishing the new position of Auditor General. The costs associated with the new position would include, at minimum, the Auditor General's salary and fringe benefits at approximately $170,000 per year.

In addition, the Auditor General would require support and professional staff to carry out the functions of receiving, investigating and resolving citizen complaints, establishing programs to assist underserved communities to gain access to government, conduct public hearings if required, as well as providing annual reports. The operating cost of the department would vary greatly depending on how these functions are carried out. For comparative purposes, the Public Advocate's Office for the City of New York, which has many of the functions specified under the proposed amendment, has a Fiscal Year 2001-2002 operating budget of approximately $2.6 million and a staff of approximately 35 full time employees to serve a population approximately eight times the size of San Francisco. A more specific cost estimate can be developed when further information is available on the proposed configuration of the new department.

Sincerely,

for Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 11 - File 02-0884

Note: An Amendment of the Whole was introduced and the proposed Charter Amendment was continued by the Rules and Audits Committee on June 26, 2002.

Proposed Ballot Measure: Charter Amendment amending Section 2.100 to provide that the job of a member of the Board of Supervisors is a full-time position and to provide that the Supervisors' salary will be set by the Civil Service Commission once every five years, by considering the salaries of other California City Councils and County Boards of Supervisors and may also consider the Consumer Price Index (CPI).

Draft: First

Section Affected: Section 2.100

Description: The proposed Charter Amendment would amend Section 2.100 of the City's Charter to state that the job of each member of the Board of Supervisors is a full-time position and that the Supervisors' salary would be set by the Civil Service Commission once every five years. In accordance with the proposed Charter Amendment, before the Civil Service Commission determines the Supervisors' salary, the Civil Service Commission shall receive and consider a salary survey of California City Councils and County Boards of Supervisors, conducted by the staff of the Civil Service Commission. In addition, the Civil Service Commission may consider the Consumer Price Index (CPI) when determining the Supervisors' salaries.

As stated in the proposed Charter Amendment, the Civil Service Commission would be responsible for transmitting the Supervisors' salary determination on a timely basis to the Controller. The Controller would then be responsible for (1) setting aside the necessary funding, and (2) including the new Supervisors salaries in the appropriate budget documents for implementation. The proposed Charter Amendment also requires the Civil Service Commission to establish dates for an appropriate five-year cycle for making the

determinations required by these Charter provisions, in order to efficiently coordinate with the City's budget processes and related procedures, such that the initial determination may be for less than a five-year period. In accordance with the proposed Charter Amendment, no one except the Civil Service Commission may change the Supervisors' salary determination.

The proposed Charter Section would also be amended to delete specific reference to each member of the Board of Supervisors current annual salary of $37,585.

Comments:

1. The annual salary for each member of the Board of Supervisors, as stated in the City's Charter, is currently fixed at $37,585. Including fringe benefit costs, the total annual cost for each member of the Board of Supervisors is currently approximately $47,000. In contrast, based on a preliminary review conducted by the Controller's Office, the average salary including fringe benefits for Board of Supervisor members in the surrounding six Bay Area counties (Alameda, Marin, Contra Costa, San Mateo, Sonoma and Santa Clara) is approximately $108,000, which is $61,000 or 129.8 percent more than the amount paid to members of the Board of Supervisors in San Francisco.

2. Attachment I, provided by the Controller' Office, therefore estimates that the proposed Charter Amendment would result in additional costs of approximately $671,000 annually (approximately $61,000 more per Supervisor times 11 Supervisors) to provide full-time salaries and benefits for the Board of Supervisors. The Controller's Office also advises that (1) the actual cost could increase or decrease depending on whether the survey conducted by the Department of Human Resources (amended to be the Civil Service Commission) includes other public sector positions and that (2) since the Charter currently fixes the salary level for each member of the Board of Supervisors at $37,585 and the proposed Charter Amendment would set salaries based on comparable salaries in other jurisdictions, that these costs are likely to increase over time.

3. Attachment II, provided by Ms. Kate Favetti of the Civil Service Commission, advises that, in accordance with Charter Section A8.409-1, the Civil Service Commission staff currently conduct salary surveys for other elected officials in San Francisco, for consideration by the Civil Service Commission. Therefore, as stated in Attachment II, consistent with this practice, the Civil Service Commission is recommending that the salary surveys for members of the Board of Supervisors should similarly be conducted by the Civil Service Commission staff and not by the Department of Human Resources staff. The proposed Amendment of the Whole introduced on June 26, 2002, is consistent with the Civil Service Commission's recommendations.

Civil Service Commission staff advise that the Department should be able to absorb such additional responsibilities within their existing budget.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Hall
Supervisor Gonzalez
Supervisor Sandoval
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLLER

Edward Harrington
Controller

June 19, 2002

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 020884
Charter Amendment providing that the job of a member of the Board of Supervisors is a full-time position and to provide that the Supervisors' salary will be set by the Civil Service Commission by considering the salaries of other California City Councils and County Boards of Supervisors.

Dear Ms. Young:

Should the proposed charter amendment be approved by voters, in my opinion, the estimated costs would be approximately $671,000 per year.

Members of the Board are currently paid a Charter-mandated amount of $37,600 annually, and are provided with full employee benefits for a total cost of approximately $47,000. Based on a preliminary review of average salary information for Board of Supervisors members in six Bay Area counties, average salaries including benefits are approximately $108,000, approximately $61,000 per Supervisor above current amounts.

The Charter Amendment specifies that Board member salaries would be set by a survey conducted by the Human Resources Department and approved by the Civil Service Commission, and that the Civil Service Commission may also consider the Consumer Price Index (CPI) in its determination. If it were determined that the jobs of members of the San Francisco Board of Supervisors were comparable to other public sector positions, rather than to county Board of Supervisors' positions, this cost could increase or decrease. The Charter currently fixes the salary level for members of the Board of Supervisors, if these salaries were instead set by the approach specified in the Charter Amendment, they are more likely to increase over time.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

DONALD A. CASPER
PRESIDENT

RGAN R. GORRONO
VICE PRESIDENT

ADRIENNE PON
COMMISSIONER

INDA RICHARDSON
COMMISSIONER

OSABELLA SAFONT
COMMISSIONER

KATE FAVETTI
ECUTIVE OFFICER

Date: June 20, 2002

To: Gloria Young
Clerk of the Board

From: Kate Favetti
Executive Officer, Civil Service Commission

Subject: **Civil Service Commission Immediate Response to Proposed Charter Amendments on Setting Salaries for the position of Member, Board of Supervisors**

Charter Amendment – Member, Board of Supervisors (Gonzalez) Charter Amendment to amend Section 2.100, and to add Section 15.109 to provide that the Supervisors' salary be set by the Ethics Commission (BOS File 010961)

Charter Amendment- Member, Board of Supervisors (Gonzalez) Charter Amendment to amend Section 2.100, and to provide that the Supervisors' salary will be set by the Civil Service Commission (BOS File 020884)

The Civil Service Commission acted on June 17, 2002 (Vote of 4-1 Commissioner Linda Richardson dissents) to direct the Executive Officer to respond to the proposed Charter amendments on salaries of Member, Board of Supervisors with the following points:

The Civil Service Commission annually certifies salaries for all elected officials except the Members, Board of Supervisors. Setting of salaries for elected officials is under the jurisdiction of the Civil Service Commission as provided in Charter Section A8.409-1 not with the Ethics Commission.

The Civil Service Commission agrees that the position of Member, Board of Supervisor is full time and that the Civil Service Commission be authorized to set the salaries of Member, Board of Supervisor as a full-time position effective July 1, 2003.

The Civil Service Commission further commented that thereafter consistent with all other elected officials, salaries of Member, Board of Supervisors be considered for annual cost of living adjustments on July 1, of each fiscal year to reflect the upward change in the CPI as of the preceding January 1 but not to exceed 5%. The Civil Service Commission also indicated that every five years the salaries of all elected officials be reviewed for internal adjustment. The Civil Service Commission also commented that the Proposed Charter Amendment does not provide a cap and could result in significant salary increases every five years.

Currently the Civil Service Commission staff conducts salary surveys of elected officials for Civil Service Commission consideration. Consistent with the current practice, salary surveys conducted for Members, Board of Supervisor, should be conducted by the Civil Service Commission staff not Department of Human Resources staff. (The Director of Human Resources reports to an elected official.) The Commission normally directs the staff on the parameters for salary surveys and wishes to have this authority applicable to setting salaries for Member, Board of Supervisors.

Should you have any questions or concerns I am available at 252-3250.

cc: Donald A. Casper, President, CSC
Morgan R. Gorrono, Vice President, CSC
Adrienne Pon, Commissioner
Linda Richardson, Commissioner
Rosabella Safont, Commissioner
Marie Corlett Blits, City Attorney
Rob Eshelman, Board of Supervisors
Debra Newman, Budget Analyst Office

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City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Tuesday, July 09, 2002 | **9:30 AM** | **City Hall, Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

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Meeting Convened

The meeting convened at 9:55 a.m.

021156 **[Appointments, Planning Commission]**
Mayor

Motion approving the Mayor's nomination of Jon Ballesteros, Hector Chinchilla, Dr. William Fay, and Frances Lee to the Planning Commission, terms to be determined by lot. (Mayor)

Jon Ballesteros, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.
Hector Chinchilla, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.
Dr. William Fay, Seat 6, new position, must be nominated by the Mayor, term to be determined by lot.
Frances Lee, Seat 7, new position, must be nominated by the Mayor, term to be determined by lot.
6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
7/2/02, MEETING CANCELLED.

Heard in Committee. Speakers: Karin Carlson, Mayor's Office; Jon Ballesteros; Supervisor Hall; Supervisor Gonzales; Ted Lakey, Deputy City Attorney; Supervisor Sandoval; Supervisor McGoldrick; Hector Chinchilla; Dr. William Fay; Frances Lee; Tom Hsieh; Jim Ferguson; Thomas Shuen; Milton Gaines; Ed Dollard; Lisa Ikeda; Kathleen Harrington; Jeremy Paul; Tom A. Hsieh; Edwin Yuen; Female; Doug Comstock; Daniela Kirshenbaum; Claire McGhee; Steve Currlin; Kat Charlton; John Sweeney; Jeffrey Hiller; Tom Nolan; Anthony Sacco; Wendy Wu; Robert Mellett; Peter McGuire; Charmaine Curtis; Paul Chow; Joe Cassidy; John O'Connor; Mack Burton; Anita Theoharis; Sue Hester; Joe Donohue; Sean Kerghran; Richie Hart; Donna Crowder; Jeannene Przyslyski; Father Nobles; Dave O'Keelfe; Grace Kiely; Charlie Marinelli; Brian McGee; Charles Millet; Katheryn Roberts; Charles Breidengeh; Terry Agosta; Kieran Buckley; Christine Linnenbach; Alice Barkley; Dave Mocks; Joan Levy; Edward Evans; Ada Chan; Luis Granados; Mike Lanza; Katie O'Brien; Robert Shremel; Gerry Crowley; Kim Stryker; Ian Berice; Debra Stein; Sean Gorman; John Bardis; Angelo King; Alexander Del Valle; Pat Christiansen; Hirusth Fukioa; Howard Ash; Tom McDonough; Michael Speak; Arthur Chang.
Nomination of Jon Ballesteros, seat 4, recommended.
Nomination of Hector Chinchilla, seat 5, to Board Without Recommendation; Supervisor Hall dissenting.
AMENDED.

Motion approving the Mayor's nomination of Jon Ballesteros and Hector Chinchilla to the Planning Commission, terms to be determined by lot. (Mayor)

Jon Ballesteros, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.
Hector Chinchilla, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.
(Nomination of Hector Chinchilla, seat 5, To Board Without Recommendation; Supervisor Hall dissenting.)

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Noes: 1 - Hall

021157 **[Appointments, Planning Commission]**

Mayor

Motion rejecting the Mayor's appointments of Jon Ballesteros, Hector Chinchilla, Dr. William Fay, and Frances Lee to the Planning Commission. (Mayor)

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
7/2/02, MEETING CANCELLED.

Heard in Committee. Speakers: Karin Carlson, Mayor's Office; Jon Ballesteros; Supervisor Hall; Supervisor Gonzales; Ted Lakey, Deputy City Attorney; Supervisor Sandoval; Supervisor McGoldrick; Hector Chinchilla; Dr. William Fay; Frances Lee; Tom Hsieh; Jim Ferguson; Thomas Shuen; Milton Gaines; Ed Dollard; Lisa Ikeda; Kathleen Harrington; Jeremy Paul; Tom A. Hsieh; Edwin Yuen; Female; Doug Comstock; Daniela Kirshenbawn; Claire McGhee; Steve Currlin; Kat Charlton; John Sweeney; Jeffrey Hiller; Tom Nolan; Anthony Sacco; Wendy Wu; Robert Mellett; Peter McGuire; Charmaine Curtis; Paul Chow; Joe Cassidy; John O'Connor; Mack Burton; Anita Theoharis; Sue Hester; Joe Donohue; Sean Kerghran; Richie Hart; Donna Crowder; Jeannene Przyslyski; Father Nobles; Dave O'Keelfe; Grace Kiely; Charlie Marinelli; Brian McGee; Charles Millet; Katheryn Roberts; Charles Breidengeh; Terry Agosta; Kieran Buckley; Christine Linnenbach; Alice Barkley; Dave Mocks; Joan Levy; Edward Evans; Ada Chan; Luis Granados; Mike Lanza; Katie O'Brien; Robert Shremel; Gerry Crowley; Kim Stryker; Ian Berice; Debra Stein; Sean Gorman; John Bardis; Angelo King; Alexander Del Valle; Pat Christiansen; Hirusth Fukioa; Howard Ash; Tom McDonough; Michael Speak; Arthur Chang.
Appointment of Hector Chinchilla, seat 5, To Board Without Recommendation; Supervisor Gonzalez dissenting.
Appointment of Dr. William Fay, seat 6, rejected; Supervisor Sandoval dissenting.
Appointment of Frances Lee, seat 7, rejected; Supervisor Sandoval dissenting.

AMENDED.

Motion rejecting the Mayor's appointments of Hector Chinchilla, Dr. William Fay, and Frances Lee to the Planning Commission. (Mayor)

(Appointment of Hector Chinchilla, seat 5, To Board Without Recommendation; Supervisor Gonzalez dissenting.
Appointment of Dr. William Fay, seat 6, rejected; Supervisor Sandoval dissenting.
Appointment of Frances Lee, seat 7, rejected; Supervisor Sandoval dissenting.)

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Hall, Sandoval
Noes: 1 - Gonzalez

021150 **[Appointments, Planning Commission]**

Supervisor Ammiano

Motion approving the Board of Supervisors President's nomination of Lisa Feldstein, Kevin Hughes, and Marylyn Sue Lee to the Planning Commission, terms to be determined by lot.

Lisa Feldstein, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Kevin Hughes, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Marylyne Sue Lee, Seat 3, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
7/2/02, MEETING CANCELLED.

Heard in Committee. Speakers: Brad Benson, Supervisor Ammiano's Aide; Lisa Feldstein; Supervisor Sandoval; Supervisor McGoldrick; Supervisor Gonzalez; Supervisor Hall; Kevin Hughes; Marilyn Sue Lee; Walter Johnson, S.F. Labor Council; Ron Dicks; Charmaine Curtis; Anita Theoharis; John Bardis; Theresa Burke; Pat Christianson; Steve Williams; Steven Currier; Debra Stein; Jeanny Crowder; Sue Hester; Doug Comstock; Alice Barkley; Ted Lakey, Deputy City Atorney.
Nomination of Lisa Feldstein, seat 1, recommended.
Nomination of Kevin Hughes, seat 2, recommended.
Nomination of Marilyn Sue Lee, seat 3, To Board Without Recommendation; Supervisor Hall dissenting.

AMENDED.

Motion approving the Board of Supervisors President's nomination of Lisa Feldstein, Kevin Hughes, and Marilyn Sue Lee to the Planning Commission, terms to be determined by lot.

Lisa Feldstein, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Kevin Hughes, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Marilyn Sue Lee, Seat 3, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
(Nomination of Marilyn Sue Lee, seat 3, To Board Without Recommendation; Supervisor Hall dissenting.)

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Noes: 1 - Hall

021151 **[Appointments, Planning Commission]**

Supervisor Ammiano

Motion rejecting the Board of Supervisors President's appointment of Lisa Feldstein, Kevin Hughes, and Marylyn Sue Lee to the Planning Commission.

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
7/2/02, MEETING CANCELLED.

Heard in Committee. Speakers: Brad Benson, Supervisor Ammiano's Aide; Lisa Feldstein; Supervisor Sandoval; Supervisor McGoldrick; Supervisor Gonzalez; Supervisor Hall; Kevin Hughes; Marilyn Sue Lee; Walter Johnson, S.F. Labor Council; Ron Dicks; Charmaine Curtis; Anita Theoharis; John Bardis; Theresa Burke; Pat Christianson; Steve Williams; Steven Currier; Debra Stein; Jeanny Crowder; Sue Hester; Doug Comstock; Alice Barkley; Ted Lakey, Deputy City Attorney.
Appointment of Marilyn Sue Lee, seat 3, To Board Without Recommendation; Supervisor Gonzalez dissenting

AMENDED.

Motion rejecting the Board of Supervisors President's appointment of Marilyn Sue Lee to the Planning Commission.

(Appointment of Marilyn Sue Lee, seat 3, To Board Without Recommendation; Supervisor Gonzalez dissenting.)

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Hall, Sandoval
Noes: 1 - Gonzalez

021154 **[Appointments, Board of Appeals]**

Mayor

Motion approving the Mayor's nomination of Arnold Chin, John McInerney, and Sabrina Saunders to the Board of Appeals, terms to be determined by lot. (Mayor)

Arnold Chin, Seat 3, new position, must be nominated by the Mayor, term to be determined by lot.
John McInerney, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.
Sabrina Saunders, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
7/2/02, MEETING CANCELLED.

Recessed to July 16 meeting at 1:00 p.m.

MEETING RECESSED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021155 **[Appointments, Board of Appeals]**

Mayor

Motion rejecting the Mayor's appointments of Arnold Chin, John McInerney, and Sabrina Saunders to the Board of Appeals. (Mayor)

6/24/02, RECEIVED AND ASSIGNED to Finance Committee.
6/26/02, TRANSFERRED to Rules and Audits Committee.
7/2/02, MEETING CANCELLED.

Recessed to July 16 meeting at 1:00 p.m.

MEETING RECESSED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021152 **[Appointments, Board of Appeals]**

Supervisor Ammiano

Motion approving the Board of Supervisors President's nomination of Doug Shoemaker and Hisashi Sugaya to the Board of Appeals, terms to be determined by lot.

Doug Shoemaker, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Hisashi Sugaya, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
7/2/02, MEETING CANCELLED.

Recessed to July 16 meeting at 1:00 p.m.

MEETING RECESSED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021153 **[Appointments, Board of Appeals]**

Supervisor Ammiano

Motion rejecting the Board of Supervisors President's appointment of Doug Shoemaker and Hisashi Sugaya to the Board of Appeals.

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

7/2/02, MEETING CANCELLED.

Recessed to July 16 meeting at 1:00 p.m.

MEETING RECESSED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021139 **[Confirming the appointment of Reverend Edgar E. Boyd to the San Francisco Redevelopment Agency]**

Resolution confirming the appointment of Reverend Edgar E. Boyd to the San Francisco Redevelopment Agency for the remainder of a four-year term ending September 3, 2003. (Mayor)

6/26/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Sponsor requests this item be heard at the July 2, 2002 meeting.

7/2/02, MEETING CANCELLED.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

MEETING RECESSED

The meeting recessed to July 16, at 1:00 p.m. to address Board of Appeals appointments.
The meeting recessed at 9:15 p.m.

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City and County of San Francisco
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Rules and Audits C

Members: Supervisors Tony Hall, Matt Go

Clerk: Deborah Mo

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Wednesday, July 10, 2002 **2:30 PM** **City Hall, Legislative Chamber - Second Floor**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

MEETING CONVENED

The meeting convened at 2:50 p.m.

011656 **[Charter Amendment - Public Utilities Commissioners]**

Supervisors Hall, Gonzalez

Charter amendment (Second Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment, providing for appointment of new commissioners.

9/17/01. ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

10/25/01. CONTINUED TO CALL OF THE CHAIR.

1/28/02. TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

6/25/02. CONTINUED. Speakers: None.
Continued to July 5, 2002.

7/5/02. AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speaker: Ted Lakey, Deputy City Attorney.
Supervisor Gonzalez requested to be added as a co-sponsor.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

7/5/02. CONTINUED AS AMENDED.

Heard in committee. Speakers: Red Keenan; Female Speaker; Bruce Brugmann, Bay Guardian; Bob Boileau; Ted Lakey, Deputy City Attorney.
7/10/02 Amendment of the whole bearing same title.
Continued to July 15, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Third Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment, providing for appointment of new commissioners.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

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020805 **[Charter Amendment - Entertainment Commission]**

Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Charter amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission.

5/13/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/12/2002.

6/25/02, CONTINUED. Heard in committee. Speakers : Supervisor Leno; Debra Newman, Budget Analyst's office; Dorji Roberts, City Attorney; Captain Tom O' Neill, SFPD, Rhaji Bajit, Department of Public Health; Bob Planthold; Jim Mekhole; Sean Mills, Seventeen Reasons; Frederick Hobson; Kathleen Harrington, Golden Gate Restaurant Association; John Wood, Late Night Coalition; Jerry Paul, permit consultant; Mark Rennie; Bevin Dufte; Bruce McDonald; Terrence Allen; Paul Hogan; R. Stephen Ellis; John DeCastro; Tim Faldy, Chair, Union Square Association, Public Policy Committee; David Overdorf; Linda Mjellen; Robert Garcia; Nick Fynn; Stephanie Tucker; Justin Kimble; Gilbert Criswell; Kathy Ellis; Ed Harrington, Controller.
Supervisors Daly, Ammiano, Gonzalez, Newsom, Peskin and Sandoval requested to be added as co-sponsors.
Continued to July 5, 2002.

7/5/02, AMENDED. AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Supevisor Leno; Linda Mjellem; John DeCastro; Terence Allen; Ed Harrington, Controller.
7/5/02 Amendment of the whole bearing same title.
Continued to July 10, 2002.

7/5/02, CONTINUED AS AMENDED.

Heard in committee. Speaker: Nathan Purkiss, aide to Supervisor Leno.
7/10/02 Amendment of the whole bearing same title.
Continued to July 15, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

012056 **[Charter Amendment - Municipal Water and Power]**

Supervisors Ammiano, Maxwell

Charter amendment (Third Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

11/13/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/13/2001.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

6/17/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment (Second Draft) bearing new title.

6/17/02, ASSIGNED to Rules and Audits Committee.

6/25/02. CONTINUED. Heard in committee. Speakers: Brad Benson. Aide to Supervisor Ammiano; Theresa Mueller, Deputy City Attorney; Hyampsis Sumchai.
Continued to July 5, 2002.

7/5/02. AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Ammiano; Supervisor Maxwell; Ed Smeloff. Assistant General Manager for Public Power and Resources Development. Public Utilities Commission; Theresa Mueller, Deputy City Attorney; Mr. Brunheld, Department of the Environment; Red Kennan; Ross Boylan; Bruce Brugman. Bay Guardian; Marilyn Chu; Male Speaker; Denis Mosgofian; Bob Boileau, SF Labor Council; Hunter Stone; Electrical Workers; Ross Mercurian; Richard Thal; Female Speaker; Mr. Calish, Mishwa Lee; Marie Harrison; Diane Felman. LAFCO.
7/5/02 Amendment of the whole bearing same title.
Continued to July 10, 2002.

7/5/02, CONTINUED AS AMENDED.

Heard in committee. Speakers: Denis Mosgofian; Theresa Mueller, Deputy City Attorney; Ed Smellof, Assistant General Manager for Public Power and Resources Development, Public Utilities Commission; Don Paul; Mark Loya; Brian Carif; Bob Boileau; Mark Soloman; Dan Berman; Bruce Brugmann, Bay Guardian; Misha Lee; Redmond Keenan; Joe Boss; Peter Winklestein; Robin David; David Alex; Ross Mercurian; Paul Ben.

7/10/02 Amendment of the whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Fourth Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

Revenue Bond Authority for Energy Facilities and Changes to Public Utilities Commission Related to Energy divided from 012056. See File No. 021253 and 021254.

DIVIDED.

Continued to July 15, 2002.

CONTINUED AS DIVIDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021253 **[Charter Amendment - Changes to Public Utilities Commission Related to Energy]**

Supervisor Gonzalez

Charter amendment (First Draft) to amend Sections 4.112 and 13.101 and add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

Divided from File No. 012056.

Continued to July 15, 2002.

CONTINUED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021254 **[Charter Amendment - Revenue Bond Authority for Energy Facilities]**

Supervisor Ammiano

Charter amendment (First Draft) to add a new Section 8B.110 empowering the Board of Supervisors to issue revenue bonds for the acquisition of energy facilities.

Divided from File No. 012056.
Continued to July 15, 2002.

CONTINUED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020887 **[Charter Amendment - Establishing Municipal Water and Power Agency]**

Charter Amendment (Third Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.128, deleting Section 9.111-1 and amending Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing and hiring; revenue bonds or other financing methods.

(Fiscal impact.)

2/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee. expires on 6/19/2002.
6/17/02. SUBSTITUTED. Supervisor Ammiano submitted a substitute charter amendment (Second Draft) bearing new title.
6/17/02, ASSIGNED to Rules and Audits Committee.
6/25/02. CONTINUED. Speakers: None.
Continued to July 5, 2002.
7/5/02. AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Supervisor Ammiano; Pat Martel, PUC; Ed Harrington, Controller; Alec Gibson. Budget Analyst's Office; Nadia Sysat. Mayor's Office: Vickie Clayton. Deputy City Attorney; Marie Harrison; Mishwa Lee; Bob Boileu; Kate Favetti. Civil Service Commission; Alicia Villagomez; Red Kennan; Steven Crifte: Elena Brooke; Ruth Gravanis; Ms. Macaung; Female speaker; David Minligraski; Phil Ginsberg, Deputy City Attorney; Dan Masconie.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.
7/5/02. CONTINUED AS AMENDED.

Heard in committee. Speakers: Supervisor Ammiano; Vickie Clayton, Deputy City Attorney; Monique Moyer; Bob Boilean; David Nodgovsky; Mark Loya; Denis Mosgofian; Mark Soloman; Steven Krefte.
7/10/02 Amendment of the whole bearing same title.
Continued to July 15, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter Amendment (Fourth Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.128, deleting Section 9.111-1 and amending Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing and hiring; revenue bonds or other financing methods.

(Fiscal impact.)

CONTINUED AS AMENDED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020938 **[Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]**

Supervisors Ammiano, Gonzalez

Charter amendment (First Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

(Fiscal impact.)

5/28/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/27/2002.

7/5/02, CONTINUED. Heard in committee. Speakers: Supervisor Ammiano; Ed Harrington, Controller; Claire Murphy, SF Employee's Retirement System; Rich Marino; Sharon Brest; Armando Garcia; Allan Pringle.
Supervisor Gonzalez requested to be added as a co-sponsor.
Continued to July 10, 2002.

Heard in committee. Speakers: Rich Perino; Sharon Brest.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020888 **[Charter Amendment - Assistance to Elections Department]**

Supervisor Ammiano

Charter amendment (Fourth Draft) to amend sections 13.103.5, 13.104.5, 15.100 and 6.102 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguisable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan; and eliminate some of the restrictions that apply to members of the Ethics Commission, Elections Commission, and the City Attorney.

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/3/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.

6/3/02, ASSIGNED to Rules and Audits Committee.

6/25/02, AMENDED. AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Supervisor Ammiano; Deputy City Attorney Julia Moll; Ed Harrington, Controller.
6/25/02 Amendment of the whole bearing same title.
Continued to July 5, 2002.

6/25/02, CONTINUED AS AMENDED.

7/5/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Marianne DeSouza, Sheriff's Department; Vickie Hennessy, Sheriff's Department; Julie Moll, Deputy City Attorney
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

7/5/02, CONTINUED AS AMENDED.

Heard in committee. Speaker: Ted Lakey, Deputy City Attorney.
7/10/02 Amendment of the whole bearing same title.
Continued to July 15, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Fifth Draft) to amend sections 13.103.5, 13.104.5, 15.100 and 6.102 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguisable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan; and eliminate some of the restrictions that apply to members of the Ethics Commission, Elections Commission, and the City Attorney.

CONTINUED AS AMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020886 **[Charter Amendment - Homeless Policy]**

Supervisor Daly

Charter amendment (Third Draft) to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same fiscal year in which such enactment was adopted; to add Section 4.134 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/10/02, SUBSTITUTED. Supervisor Daly presented a substitute Charter Amendment (Second Draft) bearing new title.

6/12/02, ASSIGNED to Rules and Audits Committee.

6/13/02, CLERICAL CORRECTION. Clerical corrections by attorney to change Section "4.132" to "4.134"

6/26/02, CONTINUED. Speakers: None
Continued to July 5, 2002.

7/5/02, AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Ted Lakey, Deputy City Attorney; Supervisor Daly; Ed Harrington, Controller; Anna Laforte; Arthur Evans; Henrique Cohen; Female Speaker.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

7/5/02, CONTINUED AS AMENDED.

Heard in committee. Speakers: Supervisor Daly; Gene Colman, Co-Chair, Local Homeless Coordinating Board.
7/10/02 Amendment of the whole bearing same title.
Continued to July 15, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Fourth Draft) to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same fiscal year in which such enactment was adopted; to add Section 4.134 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020885 **[Charter Amendment - Parental Leave Compensation]**

Supervisors Daly, Gonzalez

Charter amendment (Second Draft) to amend the charter regarding compensation during parental leave.

(Fiscal impact.)

5/20/02. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2020.

6/26/02, CONTINUED. Heard in committee. Speakers: Supervisor Daly; Gina Roccanova, City Attorney's office; Debra Newman, Budget Analyst's office; Ed Harrington, Controller; Alice Villagomez, Human Resources Department; Maria Gustory; Helenya Brooke. Supervisor Gonzalez requested to be added as a co-sponsor.
Continued to July 5, 2002.

7/5/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Gina Roccanova, Deputy City Attorney; Ed Harrington, Controller; Alicia Villagomez.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

7/5/02, CONTINUED AS AMENDED.

Heard in committee. Speakers: Supervisor Daly; Gina Roccanova, Deputy City Attorney; Peg Stephenson, Controller's Office; Ted Lakey, Deputy City Attorney.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 2 - Hall, Sandoval
Noes: 1 - Gonzalez

020882 **[Charter Amendment - Public Advocate]**

Supervisor McGoldrick

Charter amendment (Second Draft) to amend Section 6.100 and adding Section 6.108 to create the Public Advocate.

5/20/02. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002

6/26/02. CONTINUED. Heard in committee. Speakers: Supervisor McGoldrick; Supervisor Daly; Ted Lakey. Deputy City Attorney; Debra Newman, Budget Analyst's office; Ed Harrington, Controller; Paula Jesson, Deputy City Attorney; Ginny Vida, Executive Director, Ethics Commission; Jerry Threet, Aide to Supervisor McGoldrick; Female Speaker; Mr. Soloman; Doug Comstock, Coalition of San Francisco Neighborhoods.
Continued to July 5, 2002.

7/5/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Supervisor McGoldrick; Ed Harrington, Controller.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

7/5/02. CONTINUED AS AMENDED.

Heard in Committee. Speakers: Supervisor Jake McGoldrick; Edward Harrington, Controller; Ross Mercurian.

RECOMMENDED "DO NOT SUBMIT" by the following vote:

Ayes: 2 - Hall, Gonzalez
Noes: 1 - Sandoval

020884 **[Charter Amendment - Board of Supervisors]**

Supervisor Gonzalez

Charter amendment (Third Draft) to amend Section 2.100 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Civil Service Commission shall set the Supervisors' salary once every five (5) years. The Civil Service Commission must consider salaries of other California City Councils and County Boards of Supervisors, and may also consider the Consumer Price Index (CPI).

5/20/02. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/26/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Paul Melbastat, Ethics Commission; Ginny Vida, Executive Director, Ethics Commission; Bob Planthold; Rob Eshelman, Aide to Supervisor Gonzalez; Ed Harrington, Controller.

6/26/02 Amendment of the whole bearing new title.

Continued to July 5, 2002.

6/26/02, CONTINUED AS AMENDED.

7/5/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Ed Harrington, Controller.

7/5/02 Amendment of the whole bearing same title.

Continued to July 10, 2002.

7/5/02, CONTINUED AS AMENDED.

Speakers: None.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

ADJOURNMENT

The meeting adjourned at 9:54 p.m.

City and County of San Fra

Meeting Agenda

Rules and Audits Commit

Members: Supervisors Tony Hall, Matt Gonzalez and

Clerk: Deborah Muccino

City Hall

[All Committees]

Government Document Section
Main Library

Monday, July 15, 2002 | **9:00 AM** | **City Hall, Room 263**

Special Meeting

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

DOCUMENTS DEPT.

JUL 15 2002

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REGULAR AGENDA

1. 011656 **[Charter Amendment - Public Utilities Commissioners]**
Supervisors Hall, Gonzalez
Charter amendment (Third Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment, providing for appointment of new commissioners.

9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.
10/25/01, CONTINUED TO CALL OF THE CHAIR.
1/28/02, TRANSFERRED to Rules and Audits Committee Transferred pursuant to new committee structure
6/25/02, CONTINUED. Speakers: None.
Continued to July 5, 2002.
7/5/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE Heard in committee Speaker. Ted Lakey, Deputy City Attorney.
Supervisor Gonzalez requested to be added as a co-sponsor.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.
7/5/02, CONTINUED AS AMENDED.
7/10/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee Speakers: Red Keenan; Female Speaker; Bruce Brugmann, Bay Guardian; Bob Boileau; Ted Lakey, Deputy City Attorney
7/10/02 Amendment of the whole bearing same title
Continued to July 15, 2002
7/10/02, CONTINUED AS AMENDED

2. 020805 **[Charter Amendment - Entertainment Commission]**

Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Charter amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission.

5/13/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/12/2002.

6/25/02, CONTINUED. Heard in committee. Speakers : Supervisor Leno; Debra Newman, Budget Analyst's office; Dorji Roberts, City Attorney; Captain Tom O' Neill, SFPD; Rhaji Bajit, Department of Public Health; Bob Planthold; Jim Mekhole; Sean Mills, Seventeen Reasons; Frederick Hobson; Kathleen Harrington, Golden Gate Restaurant Association; John Wood, Late Night Coalition; Jerry Paul, permit consultant; Mark Rennie; Bevin Dufte; Bruce McDonald; Terrence Allen; Paul Hogan; R. Stephen Ellis; John DeCastro; Tim Faldy, Chair, Union Square Association, Public Policy Committee; David Overdorf; Linda Mjellen; Robert Garcia; Nick Fynn; Stephanie Tucker; Justin Kimble; Gilbert Criswell; Kathy Ellis; Ed Harrington, Controller.
Supervisors Daly, Ammiano, Gonzalez, Newsom, Peskin and Sandoval requested to be added as co-sponsors.
Continued to July 5, 2002.

7/5/02, AMENDED. AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Supevisor Leno; Linda Mjellem; John DeCastro; Terence Allen; Ed Harrington. Controller.
7/5/02 Amendment of the whole bearing same title.
Continued to July 10, 2002.

7/5/02, CONTINUED AS AMENDED.

7/10/02, AMENDED. AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speaker: Nathan Purkiss, aide to Supervisor Leno.
7/10/02 Amendment of the whole bearing same title.
Continued to July 15, 2002.

7/10/02, CONTINUED AS AMENDED.

3. 020886 **[Charter Amendment - Homeless Policy]**

Supervisor Daly

Charter amendment (Fourth Draft) to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same fiscal year in which such enactment was adopted; to add Section 4.134 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

5/20/02. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/10/02, SUBSTITUTED. Supervisor Daly presented a substitute Charter Amendment (Second Draft) bearing new title.

6/12/02. ASSIGNED to Rules and Audits Committee.

6/13/02. CLERICAL CORRECTION. Clerical corrections by attorney to change Section "4.132" to "4.134"

6/26/02. CONTINUED. Speakers: None
Continued to July 5, 2002.

7/5/02, AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Ted Lakey, Deputy City Attorney; Supervisor Daly; Ed Harrington. Controller; Anna Laforte; Arthur Evans; Henrique Cohen; Female Speaker.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10. 2002.

7/5/02, CONTINUED AS AMENDED.

7/10/02. AMENDED. AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Supervisor Daly; Gene Colman. Co-Chair. Local Homeless Coordinating Board.
7/10/02 Amendment of the whole bearing same title
Continued to July 15. 2002.

7/10/02. CONTINUED AS AMENDED.

4. 020888 **[Charter Amendment - Assistance to Elections Department]**

Supervisor Ammiano

Charter amendment (Fifth Draft) to amend sections 13.103.5, 13.104.5, 15.100 and 6.102 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguisable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan; and eliminate some of the restrictions that apply to members of the Ethics Commission, Elections Commission, and the City Attorney.

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/3/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.

6/3/02, ASSIGNED to Rules and Audits Committee.

6/25/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Supervisor Ammiano; Deputy City Attorney Julia Moll; Ed Harrington, Controller.
6/25/02 Amendment of the whole bearing same title.
Continued to July 5, 2002.

6/25/02, CONTINUED AS AMENDED

7/5/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Marianne DeSouza, Sheriff's Department; Vickie Hennessy, Sheriff's Department; Julie Moll, Deputy City Attorney.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

7/5/02, CONTINUED AS AMENDED.

7/10/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speaker: Ted Lakey, Deputy City Attorney.
7/10/02 Amendment of the whole bearing same title.
Continued to July 15, 2002.

7/10/02, CONTINUED AS AMENDED

5. 012056 **[Charter Amendment - Municipal Water and Power]**

Supervisors Ammiano, Maxwell

Charter amendment (Fourth Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

11/13/01. ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 12/13/2001.

1/28/02. TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

6/17/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment (Second Draft) bearing new title.

6/17/02. ASSIGNED to Rules and Audits Committee.

6/25/02, CONTINUED. Heard in committee. Speakers: Brad Benson, Aide to Supervisor Ammiano; Theresa Mueller, Deputy City Attorney; Hyampsis Sumchai.
Continued to July 5. 2002.

7/5/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Ammiano; Supervisor Maxwell; Ed Smeloff, Assistant General Manager for Public Power and Resources Development, Public Utilities Commission; Theresa Mueller, Deputy City Attorney; Mr. Brunheld. Department of the Environment; Red Kennan; Ross Boylan; Bruce Brugman, Bay Guardian; Marilyn Chu; Male Speaker: Denis Mosgofian; Bob Boileau, SF Labor Council; Hunter Stone; Electrical Workers; Ross Mercurian; Richard Thal; Female Speaker; Mr. Calish; Mishwa Lee; Marie Harrison; Diane Felman. LAFCO.
7/5/02 Amendment of the whole bearing same title.
Continued to July 10, 2002.

7/5/02, CONTINUED AS AMENDED.

7/10/02. AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Denis Mosgofian; Theresa Mueller, Deputy City Attorney: Ed Smellof. Assistant General Manager for Public Power and Resources Development. Public Utilities Commission; Don Paul; Mark Loya; Brian Carif; Bob Boileau; Mark Soloman; Dan Berman; Bruce Brugmann. Bay Guardian; Misha Lee; Redmond Keenan; Joe Boss; Peter Winklestein; Robin David; David Alex; Ross Mercurian; Paul Ben.
7/10/02 Amendment of the whole bearing same title.

7/10/02, DIVIDED. Revenue Bond Authority for Energy Facilities and Changes to Public Utilities Commission Related to Energy divided from 012056. See File No. 021253 and 021254.

7/10/02. CONTINUED AS DIVIDED. Continued to July 15. 2002.

6. 021253 **[Charter Amendment - Changes to Public Utilities Commission Related to Energy]**

Supervisor Gonzalez

Charter amendment (First Draft) to amend Sections 4.112 and 13.101 and add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

7/10/02, CONTINUED. Divided from File No. 012056.
Continued to July 15, 2002.

7/10/02, DIVIDED to Rules and Audits Committee. Divivided from File No. 012056.

7. 021254 **[Charter Amendment - Revenue Bond Authority for Energy Facilities]**

Supervisor Ammiano

Charter amendment (First Draft) to add a new Section 8B.110 empowering the Board of Supervisors to issue revenue bonds for the acquisition of energy facilities.

7/10/02. CONTINUED. Divided from File No. 012056.
Continued to July 15. 2002.

7/10/02. DIVIDED to Rules and Audits Committee. Divided from File No. 012056.

8. 020887 **[Charter Amendment - Establishing Municipal Water and Power Agency]**

Charter Amendment (Fourth Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.128, deleting Section 9.111-1 and amending Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing and hiring; revenue bonds or other financing methods.

(Fiscal impact.)

2/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/17/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute charter amendment (Second Draft) bearing new title.

6/17/02, ASSIGNED to Rules and Audits Committee.

6/25/02, CONTINUED. Speakers: None.
Continued to July 5, 2002.

7/5/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Supervisor Ammiano; Pat Martel, PUC; Ed Harrington, Controller; Alec Gibson, Budget Analyst's Office; Nadia Sysat, Mayor's Office; Vickie Clayton, Deputy City Attorney; Marie Harrison; Mishwa Lee; Bob Boileu; Kate Favetti, Civil Service Commission; Alicia Villagomez; Red Kennan; Steven Crifte; Elena Brooke; Ruth Gravanis; Ms. Macaung; Female speaker: David Minligraski; Phil Ginsberg, Deputy City Attorney; Dan Masconie.
7/5/02 Amendment of the whole bearing new title.
Continued to July 10, 2002.

7/5/02, CONTINUED AS AMENDED.

7/10/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Supervisor Ammiano; Vickie Clayton, Deputy City Attorney; Monique Moyer; Bob Boileau; David Nodgovsky; Mark Loya; Denis Mosgofian; Mark Soloman; Steven Krefte.
7/10/02 Amendment of the whole bearing same title.
Continued to July 15, 2002.

7/10/02, CONTINUED AS AMENDED.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules and Audits Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.42 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are televised on channel 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

The following services are available when requested by 4:00 p.m. of the Friday before the Board meeting:

For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Ohn Myint at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

The Clerk of the Board's Office TTY number for speech-hearing impaired is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/bdsupvrs/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

[All Committees]
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City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

94102-4689

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Tuesday, July 16, 2002 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

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MEETING CONVENED.

The meeting convened at 1:09 p.m.

020897 **[2000-01 Civil Grand Jury Recommendations]**

Hearing to consider directing the Clerk of the Board to submit responses to the status of the implementation of the recommendations of the 2000-2001 San Francisco Civil Grand Jury. (Clerk of the Board)

(Pursuant to Administrative Code Section 2.10.)

5/16/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Responses requested no later than June 14, 2002.

6/4/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Edward Harrington, Controller; Ted Lakey, Deputy City Attorney; John Hense; William G. Bowen, Foreman, 2001-02 Civil Grand Jury.

Heard in Committee. Speakers: Gloria L. Young, Clerk of the Board; Ed Harrington, Controller.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020990 **[Board Off-site Meetings]**

Supervisor Ammiano

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on August 21, September 18, and November 20, 2002 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

6/12/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021182 **[Rescheduling the September 16, 2002 meeting of the Board of Supervisors to September 17, 2002]**

Supervisor Ammiano

Resolution rescheduling the September 16, 2002 meeting of the Board of Supervisors to September 17, 2002 at 2:00 p.m.

7/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021197 **[Municipal Attorney's Association "give-back" proposal]**

Supervisor Gonzalez

Hearing to discuss an alternative "give-back" proposal drafted by the Municipal Attorney's Association.

7/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

FILED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020350 **[Corporate Property Reassessment]**

Supervisor Gonzalez

Resolution urging the California State Legislature to place on the ballot a constitutional amendment modifying current tax code to close corporate loopholes in Proposition 13 and allow reassessment of corporate property at current value.

2/25/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/4/02, REFERRED to Rules and Audits Committee. Supervisor Yee requested this matter be severed so it could be considered separately.

Supervisor Yee requested this matter be sent to committee.

5/21/02, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

Heard in Committee. Speaker: Norman Raul, Transportation Chair, San Francisco Tomorrow.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020392 **[Webpage Enhancement and Maintenance for the Board of Supervisors]**

Supervisor Sandoval

Motion amending Rules of Order of the Board of Supervisors by adding Rule 6.22, which will direct the Clerk of the Board of Supervisors to provide and maintain enhancements to the Webpage of the Board of Supervisors, and allow individual Supervisors privately to maintain a linked Webpage to be used in furtherance of the conduct of the City's business.

3/13/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020874 **[Congestion Pricing for Tolls on San Francisco-Oakland Bay Bridge]**

Supervisor Sandoval

Hearing to consider submitting a Declaration of Policy for the November 2002 ballot concerning traffic congestion on the San Francisco-Oakland Bay Bridge and on highways leading to and from the bridge particularly during the morning and evening rush hours. This congestion reduces the quality of life among Bay area commuters, harms the local economy by slowing and increasing the cost of the transport of goods and services; harms the environment because congestion and the consequent delays in the flow of traffic increase the amount of noxious substances emitted into the atmosphere; and jeopardizes the respiratory health of Bay Area residents, who must breath that polluted air.

5/20/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee: Speakers: Norman Raul, Transportation Chair, San Francisco Tomorrow; Ted Lakey, Deputy City Attorney, City Attorney's Office.

PREPARED IN COMMITTEE AS A MOTION.

Motion ordering submitted to the voters a policy declaration known as Congestion Pricing for Tolls on San Francisco-Oakland Bay Bridge at an election to be held on November 5, 2002.

RECOMMENDED "DO NOT SUBMIT" by the following vote:

Ayes: 2 - Hall, Gonzalez
Noes: 1 - Sandoval

ADJOURNMENT

The meeting adjourned at 1:50 p.m.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Tuesday, July 16, 2002 | **1:05 PM** | **City Hall, Room 263**

Recessed Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

Meeting Convened

The meeting convened at 1:05 p.m.

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REGULAR AGENDA

021154 [Appointments, Board of Appeals]

Mayor

Motion approving the Mayor's nomination of Arnold Chin, John McInerney, and Sabrina Saunders to the Board of Appeals, terms to be determined by lot. (Mayor)

Arnold Chin, Seat 3, new position, must be nominated by the Mayor, term to be determined by lot.
John McInerney, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.
Sabrina Saunders, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.

6/24/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.
7/2/02. MEETING CANCELLED.
7/9/02. MEETING RECESSED. Recessed to July 16 meeting at 1:00 p.m.

Heard in Committee. Speakers: Karin Carlson, Mayor's Office; Ted Lakey, Deputy City Attorney; Arnold Chin; Supervisor Jake McGoldrick; Sabrina Saunders; Alice Barkley; Randy Shaw; Jim Frabris; Wilma Pang; Mike Dingle, SOMARTS Cultural Ctr.; Patrick Buscovich; Jeremy Paul; Daniel Wong; Daniel Lau; Gordon Chin; Astella Kung; Donna Crowder; Sally Leung; Jerry Agusta, Joe O'Donohue, residential builders; Clark Lou; Penelope Clark; Claire McGhee; Angelene O'Longhlin; Richie Hart; Dave O'Keeffe, Joe Imbellon, Katie O'Brien; Matt Brennan, John O'Connor; Sean Keighran; Peter Maguire, Daniela Kirshenbaum; Arnold Chin; Brendan Quinlan; John McInerney; Katherine Roberts; John Bardis; Christine Linnenbach; Gerry Crowley; Marc Salomon; Judith Hoyem, Mike Farr; Hirshi Fukuda; Brett Gladstone, James Kraus; Sue Hestor; Gary Gee; Andrew Smith; Tom McDunna; Sam Dodge; Joe Cassady; Ron Groshardt; Stuart Scheinholtz; Chris Hirano; Slyvia; Miltane Gains.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion approving the Mayor's nomination of Arnold Chin, and Sabrina Saunders to the Board of Appeals, terms to be determined by lot. (Mayor)

Arnold Chin, Seat 3, new position, must be nominated by the Mayor, term to be determined by lot.
Sabrina Saunders, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.
(Appointment of Arnold Chin, seat 3, recommended. Supervisor Gonzalez dissenting.)
(Appointment of Sabrina Sauders, seat 5, recommended.)

(Appointment of Arnold Chin, seat 3, recommended. Supervisor Gonzalez dissenting.)
(Appointment of Sabrina Sauders, seat 5, recommended.)

RECOMMENDED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021155 **[Appointments, Board of Appeals]**

Mayor

Motion rejecting the Mayor's appointments of Arnold Chin, John McInerney, and Sabrina Saunders to the Board of Appeals. (Mayor)

6/24/02, RECEIVED AND ASSIGNED to Finance Committee.
6/26/02, TRANSFERRED to Rules and Audits Committee.
7/2/02, MEETING CANCELLED.
7/9/02, MEETING RECESSED. Recessed to July 16 meeting at 1:00 p.m.

Heard in Committee. Speakers: Karin Carlson, Mayor's Office; Ted Lakey, Deputy City Attorney; Arnold Chin; Supervisor Jake McGoldrick; Sabrina Saunders; Alice Barkley; Randy Shaw; Jim Frabris; Wilma Pang; Mike Dingle, SOMARTS Cultural Ctr.; Patrick Buscovich; Jeremy Paul; Daniel Wong; Daniel Lau; Gordon Chin; Astella Kung; Donna Crowder; Sally Leung; Jerry Agusta; Joe O'Donohue, residential builders; Clark Lou; Penelope Clark; Claire McGhee; Angelene O'Loughlin; Richie Hart; Dave O'Keeffe; Joe Imbelloni; Katie O'Brien; Matt Brennan; John O'Connor; Sean Keighran; Peter Maguire; Daniela Kirshenbaum; Arnold Chin; Brendan Quinlan; John McInerney; Katherine Roberts; John Bardis; Christine Linnenbach; Gerry Crowley; Marc Salomon; Judith Hoyem; Mike Farr; Hirshi Fukuda; Brett Gladstone; James Kraus; Sue Hestor; Gary Gee; Andrew Smith; Tom McDunna; Sam Dodge; Joe Cassady; Ron Groshardt; Stuart Scheinholtz; Chris Hirano; Slyvia; Miltane Gains.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion rejecting the Mayor's appointment John McInerney to the Board of Appeals. (Mayor)

(Supervisor Hall dissenting.)

RECOMMENDED by the following vote:
Ayes: 2 - Gonzalez, Sandoval
Noes: 1 - Hall

021152 [Appointments, Board of Appeals]

Supervisor Ammiano

Motion approving the Board of Supervisors President's nomination of Doug Shoemaker and Hisashi Sugaya to the Board of Appeals, terms to be determined by lot.

Doug Shoemaker, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Hisashi Sugaya, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
(Appointment of Dough Shoemaker, seat 1, recommended. Supervisor Hall dissenting.)
(Appointment of Hisashi Sugaya, seat 2, recommended.)
6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
7/2/02, MEETING CANCELLED
7/9/02, MEETING RECESSED. Recessed to July 16 meeting at 1:00 p.m.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Doug Shoemaker; Hisashi Sugaya; Supervisor Jake McGoldrick; Alice Barkley; Randy Shaw; Jim Frabris; Wilma Pang; Mike Dingle, SOMARTS Cultural Ctr.; Patrick Buscovich; Jeremy Paul; Daniel Wong; Daniel Lau; Gordon Chin; Astella Kung; Donna Crowder; Sally Leung; Jerry Agusta; Joe O'Donohue, residential builders; Clark Lou; Penelope Clark; Claire McGhee; Angelene O'Loughlin; Richie Hart; Dave O'Keeffe; Joe Imbelloni; Katie O'Brien; Matt Brennan; John O'Connor; Sean Keighran; Peter Maguire; Daniela Kirshenbaum; Arnold Chin; Brendan Quinlan; John McInerney; Katherine Roberts; John Bardis; Christine Linnenbach; Gerry Crowley; Marc Salomon; Judith Hoyem; Mike Farr; Hirshi Fukuda; Brett Gladstone; James Kraus; Sue Hestor; Gary Gee; Andrew Smith; Tom McDunna; Sam Dodge; Joe Cassady; Ron Groshardt; Stuart Scheinholtz; Chris Hirano; Slyvia; Miltane Gains.

(Appointment of Dough Shoemaker, seat 1, recommended. Supervisor Hall dissenting.)
(Appointment of Hisashi Sugaya, seat 2, recommended.)

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021153 [Appointments, Board of Appeals]

Supervisor Ammiano

Motion rejecting the Board of Supervisors President's appointment of Doug Shoemaker and Hisashi Sugaya to the Board of Appeals.

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
7/2/02, MEETING CANCELLED
7/9/02, MEETING RECESSED. Recessed to July 16 meeting at 1:00 p.m.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Doug Shoemaker; Hisashi Sugaya; Supervisor Jake McGoldrick; Alice Barkley; Randy Shaw; Jim Frabris; Wilma Pang; Mike Dingle, SOMARTS Cultural Ctr.; Patrick Buscovich; Jeremy Paul; Daniel Wong; Daniel Lau; Gordon Chin; Astella Kung; Donna Crowder; Sally Leung; Jerry Agusta; Joe O'Donohue, residential builders; Clark Lou; Penelope Clark; Claire McGhee; Angelene O'Loughlin; Richie Hart; Dave O'Keeffe; Joe Imbelloni; Katie O'Brien; Matt Brennan; John O'Connor; Sean Keighran; Peter Maguire; Daniela Kirshenbaum; Arnold Chin; Brendan Quinlan; John McInerney; Katherine Roberts; John Bardis; Christine Linnenbach; Gerry Crowley; Marc Salomon; Judith Hoyem; Mike Farr; Hirshi Fukuda; Brett Gladstone; James Kraus; Sue Hestor; Gary Gee; Andrew Smith; Tom McDunna; Sam Dodge; Joe Cassady; Ron Groshardt; Stuart Scheinholtz; Chris Hirano; Slyvia; Miltane Gains.

TABLED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

ADJOURNMENT

The meeting adjourned at 6:29 p.m.

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02

City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Mucciuo

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Tuesday, August 06, 2002 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez.

Members Absent: Gerardo Sandoval.

MEETING CONVENED

The meeting convened at 1:08 p.m.

020135 [Employee Claim Reimbursement]

Hearing to consider authorizing reimbursement for the cost of personal property of a City and County employee damaged or stolen in the line of duty.

2/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speaker: Todd Rydstrom, Controller's office. Continued to August 20th.

CONTINUED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020747 [Employee Claim Reimbursement]

Hearing to consider authorizing reimbursement for the cost of personal property of a City and County employee damaged or stolen in the line of duty. (Public Health Department)

5/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speaker: Todd Rydstrom, Controller's office.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution authorizing reimbursement in the amount of $1,321.86 to Jane Ma for the cost of personal property of a City and County employee damaged or stolen in the line of duty. (Public Health Department)

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

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021264 **[Urge Recreation and Parks Department to work with neighborhood groups]**

Supervisor Yee

Resolution urging the Recreation and Parks Department to work more closely with neighborhood groups.

7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/22/02, REFERRED to Neighborhood Services and Recreation Committee. Supervisor Daly requested this matter be severed so it could be considered separately.

Supervisor Daly requested this item be referred to committee.

7/25/02, TRANSFERRED to Rules and Audits Committee.

Heard in committee. Speakers: Supervisor Yee; Elizabeth Goldstein, General Manager, Recreation and Parks Department; Stephan Doliov; Pinky Kusher; Arthur Feinstein; Rae Doyle; Bruce Engle; Greg Gaar; Karen Hu; Paul Castleman; Carolyn Blair; Linda Yaedoncci; Karen Sklar; Jeanne McKinney; Jean Lindgren; Sheila Mahoney; William Shepard; Claus Schlund; June Wilson; Ramona Albright; Ellena Clee; Eleanor Vinsant; Maryann Buxton; Nancy Wurfel; Steve Cockrell; Donald Bird; Mary McAllister; Keith McAllister; Bill Carlin; William Wilson; Martha Hoffman; Avrum Shephard; Jake Sigg; Lynne Shimet; Dana Smith; Nancy Barber; Chin Chi; Andrea Patterson; Joan Kingrey; Mary McDermott; Ralph House; Nadine May; Florence Sorrett; Wesley Day; Vicki Tiernan; Jessica Halgren; Sara Mogel; Christy Cameron; Lisa Vittori; Andrew Scoular; Irina Doliov; Female Speaker; Andrea O'Leary; Emmerich Karlman.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021260 **[Work Group for Natural Areas Program]**

Supervisor Yee

Resolution establishing a Board of Supervisors Work Group for the Recreation and Parks Natural Areas Program.

7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Supervisor Yee; Elizabeth Goldstein, General Manager, Recreation and Parks Department; Stephan Doliov; Pinky Kusher; Arthur Feinstein; Rae Doyle; Bruce Engle; Greg Gaar; Karen Hu; Paul Castleman; Carolyn Blair; Linda Yaedoncci; Karen Sklar; Jeanne McKinney; Jean Lindgren; Sheila Mahoney; William Shepard; Claus Schlund; June Wilson; Ramona Albright; Ellena Clee; Eleanor Vinsant; Maryann Buxton; Nancy Wurfel; Steve Cockrell; Donald Bird; Mary McAllister; Keith McAllister; Bill Carlin; William Wilson; Martha Hoffman; Avrum Shephard; Jake Sigg; Lynne Shimet; Dana Smith; Nancy Barber; Chin Chi; Andrea Patterson; Joan Kingrey; Mary McDermott; Ralph House; Nadine May; Florence Sorrett; Wesley Day; Vicki Tiernan; Jessica Halgren; Sara Mogel; Christy Cameron; Lisa Vittori; Andrew Scoular; Irina Doliov; Female Speaker; Andrea O'Leary; Emmerich Karlman.

8/6/02 Amendment of the whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021262 [Appointment of Michael G. Kasolas to MTA]

Mayor

Resolution confirming the appointment of Michael G. Kasolas to the Board of Directors of the Metropolitan Transportation Agency, term ending March 1, 2003. (Mayor)

7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speaker: Michael Kasolas.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020914 [Appointing Kimberly Brandon to Port Commission]

Mayor

Resolution confirming the reappointment of Ms. Kimberly Brandon to the San Francisco Port Commission, term ending May 1, 2005. (Mayor)

5/28/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Kimberly Brandon; Ted Lakey; Taline Salisarian, San Francisco Port. Continued to special meeting on August 16th.

CONTINUED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021099 [Susan Po-Rufino Reappointment to Treasure Island Development Authority]

Mayor

Resolution confirming the reappointment of Ms. Susan Po-Rufino to the Treasure Island Development Authority, term ending April 28, 2006. (Mayor)

6/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speaker: Susan Po-Ruffino; Ann Marie Conroy; Treasure Island Development Authority.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021100 [Claudine Cheng Reappointment to the Treasure Island Development Authority]

Mayor

Resolution confirming the reappointment of Ms. Claudine Cheng to the Treasure Island Development Authority, term ending April 28, 2006. (Mayor)

6/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021158 **[Reappointment to Telecommunications Commission]**

Mayor

Resolution approving the Mayor's reappointment of Major General James M. Myatt to the Telecommunications Commission, for the term ending July 1, 2005. (Mayor)

6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speaker: Heidi Seek, Department of Telecommunications and Information Services.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021350 **[Appointment - Telecommunications Commission]**

Mayor

Resolution approving the Mayor's appointment of Sunil V. Daluvoy to the Telecommunications Commission, for the term ending July 1, 2003. (Mayor)

7/29/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speaker: Heidi Seek, Department of Telecommunications and Information Services; Sunil V. Daluvoy.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020833 [Appointment]
Hearing to consider appointing six members to the Immigrant Rights Commission.

6 Seats Being Considered.
Vacant Seat, succeeding Vera Haile, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;
Vacant Seat, succeeding Neyde Azevedo, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;
Vacant Seat, succeeding Richard Ow, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;
Vacant Seat, succeeding Marcos Eusebio Gutierrez, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;
Vacant Seat, succeeding Vram Kouramajian, resigned, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for the unexpired portion of a two year term ending June 6, 2003;
Vacant Seat, succeeding Houston Zheng, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;
5/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
7/18/02, CLERICAL CORRECTION. Added seat 1 succeeding Vera Haile, term expired 6/6/02; seat 3, succeeding Richard Ow, term expired 6/6/02; and seat 9, succeeding Houston Zheng term expired 6/6/02.

Heard in committee. Speakers: Vera Haile; Sayed Ashar Ahmed; Tamara Ribas; Hugh Wang; Houston Zheng; Honorio Rivera; Female Speaker.
Seats 2 and 5 divided and continued to August 20th. See file #021398.
DIVIDED.

Hearing to consider appointing four members to the Immigrant Rights Commission.

4 Seats Being Considered.
Vacant Seat, succeeding Vera Haile, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;
Vacant Seat, succeeding Richard Ow, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;
Vacant Seat, succeeding Vram Kouramajian, resigned, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for the unexpired portion of a two year term ending June 6, 2003;
Vacant Seat, succeeding Houston Zheng, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;

Appointment of Vera Haile, Seat 1, Tamara Ribas, Seat 3, Hugh Wang, Seat 7, and Houston Zheng, Seat 9 recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Vera Haile, Tamara Ribas, Houston Zheng, terms ending June 6, 2004; and Hugh Wang, term ending June 6, 2003 to the Immigrant Rights Commission.

Vera Haile, succeeding herself, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;
Tamara Ribas, succeeding Richard Ow, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;
Hugh Wang, succeeding Vram Kouramajian, resigned, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for the unexpired portion of a two year term ending June 6, 2003;
Houston Zheng, succeeding himself, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;

RECOMMENDED.. by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021398 **[Appointment]**

Hearing to consider appointing two members to the Immigrant Rights Commission.

Vacant Seat, succeeding Neyde Azevedo, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004.
Vacant Seat, succeeding Marcos Eusebio Gutierrez, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004.

Divided from file 020833. Continued to the meeting on August 20th.

CONTINUED by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020968 **[Bicycle Advisory Committee]**

Supervisor Gonzalez

Ordinance (1) amending Sections 5.130 and 5.131 of the San Francisco Administrative Code to (i) provide that each member of the Board of Supervisors shall nominate one person for appointment to the Bicycle Advisory Committee by the Board of Supervisors, (ii) require that the Bicycle Advisory Committee inform the Board of Supervisors of the committee's diversity with respect to age, ethnicity, gender, disability and sexual orientation; (iii) change the term of members of the Bicycle Advisory Committee from three years to two years, or the remaining tenure of the nominating supervisor, whichever is shorter in duration, and (iv) provide for the removal of members of the Bicycle Advisory Committee; and (2) removing all current members of the Bicycle Advisory Committee and requiring new appointments thereto in accordance with Section 5.130 of the San Francisco Administrative Code, as amended by this ordinance.

6/3/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: David Snyder; Female Speaker; Renata Yang.

RECOMMENDED by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021311 **[Court Collections performed by Treasurer's Office]**

Supervisor Hall

Hearing on the Memorandum of Understanding between the Treasurer/Tax Collector and the Trial Courts on the collection of delinquent fees.

7/22/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Susan Leal, Treasurer; Gordon Parklyne, Chief Executive Officer of Court of San Francisco; Florence Maher, Treasurers office; Paul Slavenil, Traffic Commissioner, Civil Court.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

LITIGATION

Conference with City Attorney

(Convene in Closed Session)

Motion that the Rules and Audits Committee of the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlements in the lawsuits or claims listed below.

Unanimous vote to convene in closed session by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020942 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Cecelia Wade against the City and County of San Francisco for $250,000; the lawsuit was filed on July 11, 2001 in the San Francisco Superior Court and later was transferred to the District Court of the Northern District of California, Case No. C01-3165; entitled Cecelia Wade, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

6/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Continued to August 20th.

CONTINUED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020988 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the matter of Cheryl C. Jessee v. City and County of San Francisco for $45,000 to Cheryl C. Jessee and $61,500 to her attorney of record, Mayo & Rogers. The lawsuit was filed on May 25, 2001, in San Francisco Superior Court, Case No. 321-661; entitled Cheryl C. Jessee v. City and County of San Francisco. (City Attorney)

6/12/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021039 **[Settlement of Claim]**

Resolution approving the settlement of the unlitigated claim filed by Alyce M. Satten against San Francisco for $40,000; claim was filed on June 4, 2001. (City Attorney)

6/18/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021045 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Yun Fong Kwan, et al., against the City and County of San Francisco for $90,000; the lawsuit was filed on March 22, 1999 in Superior, Case No. 302-154; entitled Kwan, et al. v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

6/18/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021124 **[Settlement of Claim]**

Resolution approving the settlement of the unlitigated claim filed by Arnulfo O. Felin against San Francisco for $27,619.65; claim was filed on April 16, 2001; additional material terms of said settlement are none. (City Attorney)

6/19/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021125 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuits filed by one hundred and one individual plaintiffs, in two separate lawsuits known as Rooker, et al. and Weaver, et al. against the City and County of San Francisco, for $862,581.63 in back overtime wages, $137,951.82 in interest payments and $378,043.46 in attorneys' fees and costs; the Rooker lawsuit was filed on March 9, 1999 in United States District Court, Case No. C99-1095 VRW, entitled Rooker, et al. v. City and County of San Francisco; the Weaver lawsuit was filed on June 27, 2000 in the United States District Court, Case No. C00-2271 VRW, entitled Weaver, et al. v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

6/19/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules and Audits Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose discussion to the public by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

ADJOURNMENT

The meeting adjourned at 8:40 p.m.

City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Friday, August 16, 2002 **10:00 AM** **City Hall, Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

MEETING CONVENED

The meeting convened at 10:19 a.m.

020914 **[Appointing Kimberly Brandon to Port Commission]**

Mayor

Resolution confirming the reappointment of Ms. Kimberly Brandon to the San Francisco Port Commission, term ending May 1, 2005. (Mayor)

5/28/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

8/6/02, CONTINUED. Heard in committee. Speakers: Kimberly Brandon; Ted Lakey; Taline Salisarian, San Francisco Port Continued to special meeting on August 16th.

Heard in committee. Kimberly Brandon; Al Williams.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021285 **[2001-2002 San Francisco Civil Grand Jury Report]**

Hearing on the recommendation of the 2001-2002 San Francisco Civil Grand Jury regarding Continuity (Sheriff's Department Jail Phone System, Department of Elections, Special Assistants) (Clerk of the Board)

7/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Response by 9/20/02, within 90 days of June 25, 2002.

Heard in committee. Speakers: Jane Levole; John Hentz; Brenda Russo; Gloria Young, Clerk of the Board; Ted Lakey, Deputy City Attorney.

FILED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

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020897 **[2001-02 Civil Grand Jury Recommendations]**

Hearing to consider possible comments in response to the 2001-2002 San Francisco Civil Grand Jury final reports on billboards and contracts. (Clerk of the Board)

(Pursuant to Administrative Code Section 2.10.)

5/16/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Responses requested no later than June 14, 2002.

6/4/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Edward Harrington, Controller; Ted Lakey, Deputy City Attorney; John Hense; William G. Bowen, Foreman, 2001-02 Civil Grand Jury.

7/16/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Gloria L. Young, Clerk of the Board; Ed Harrington, Controller.

Heard in committee. Speakers: Jane Levole; John Hentz; Brenda Russo; Gloria Young, Clerk of the Board; Ted Lakey, Deputy City Attorney.

FILED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021176 **[2001-2002 San Francisco Civil Grand Jury Report]**

Hearing on the recommendation of the 2001-2002 San Francisco Civil Grand Jury regarding Professional Services Contracts II - Contracts Below $50,000 and Sole Source Contracts. (Clerk of the Board)

7/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Response by 9/20/02, within 90 days of June 25, 2002.

Heard in committee. Speaker: Jane Levole.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021382 **[Ballot Argument - Water and Sewer]**

Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition E, a Charter Amendment regarding changes to public utilities related to water and sewer.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: None. To Board as a Committee report, Monday, August 19, 2002.
8/16/02 Amend the title and body to insert the Letter "E" as the proposition letter assigned by elections to designate this measure in the official voters pamphlet.
Supervisor Sandoval dissented on amended argument.

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021384 **[Ballot Argument - Retirement Benefits for Police and Fire personnel]**

Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition H, a Charter Amendment regarding retirement benefits for Police and Fire personnel.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: John Arntz, Acting Director, Department of Elections; Ted Lakey, Deputy City Attorney. To Board as a Committee report, Monday, August 19, 2002.
8/16/02 Amend the title and body to insert the Letter "H" as the proposition letter assigned by elections to designate this measure in the official voters pamphlet.
Supervisor Sandoval dissented on amended argument.

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021386 **[Ballot Argument - Elections Department]**

Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition G, a Charter Amendment regarding assistance to the Elections Department.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: None. To Board as a Committee report, Monday, August 19, 2002.
8/16/02 Amend the title and body to insert the Letter "G" as the proposition letter assigned by elections to designate this measure in the official voters pamphlet.

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021388 **[Ballot Argument - Revenue Bond Election]**

Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition A, a Bond Measure regarding a Revenue Bond Election.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in committee. Speakers: None. To Board as a Committee report, Monday, August 19, 2002.
8/16/02 Amend the title and body to insert the Letter "A" as the proposition letter assigned by elections to designate this measure in the official voters pamphlet.
Supervisor Sandoval dissented on amended argument.

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021326 **[Ballot Argument - Entertainment Commission]**

Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Motion authorizing proponent's ballot argument in favor of Proposition F, a Charter Amendment regarding Entertainment Commission.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: None. To Board as a Committee report, Monday, August 19, 2002.
8/16/02 Amend the title and body to insert the Letter "F" as the proposition letter assigned by elections to designate this measure in the official voters pamphlet.

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021390 **[Ballot Argument - Paid Parental Leave]**

Supervisor Daly

Motion authorizing proponent's ballot argument in favor of Proposition I, a Charter Amendment regarding paid parental leave.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: None. To Board as a Committee report, Monday, August 19, 2002.
8/16/02 Amend the title and body to insert the Letter "I" as the proposition letter assigned by elections to designate this measure in the official voters pamphlet.

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021392 **[Ballot Argument - Supervisors Salaries]**

Supervisors Gonzalez, Leno

Motion authorizing proponent's ballot argument in favor of Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Sean Elsbernd, Aide to Supervisor Hall; Rob Eshelman, Aide to Supervisor Gonzalez; Michael Farrah, Aide to Supervisor Newsom. To Board as a Committee report, Monday, August 19, 2002.
8/16/02 Amend the title and body to insert the Letter "J" as the proposition letter assigned by elections to designate this measure in the official voters pamphlet.

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021394 **[Ballot Argument - Energy Self-sufficiency]**

Supervisors Gonzalez, Daly, Maxwell

Motion authorizing proponent's ballot argument in favor of Proposition D, a Charter Amendment regarding energy self-sufficiency.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: None. To Board as a Committee report, Monday, August 19, 2002.
8/16/02 Amend the title and body to insert the Letter "D" as the proposition letter assigned by elections to designate this measure in the official voters pamphlet.

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021328 **[Ballot Argument - Veterans Building Special Election]**

Supervisor Sandoval

Motion authorizing proponent's ballot argument in favor of Proposition C, Bond Measure regarding Veterans Building Special Election.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speaker: Beth Murray. To Board as a Committee report, Monday, August 19, 2002.
8/16/02 Amend the title and body to insert the Letter "C" as the proposition letter assigned by elections to designate this measure in the official voters pamphlet.

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021330 **[Ballot Argument - Condominium Conversion Regulations]**

Supervisors Peskin, Daly

Motion authorizing ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Ted Gulickson; Sean Elsbernd, Aide to Supervisor Hall; Ted Lakey, Deputy City Attorney. To Board as a Committee report, Monday, August 19, 2002.
8/16/02 Amend the title and body to insert the Letter "R" as the proposition letter assigned by elections to designate this measure in the official voters pamphlet.
Supervisor Sandoval dissented on amended argument.

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021358 [Safe Haven for Newborns Task Force]

Supervisor Hall

Resolution establishing a Safe Haven for Newborns Task Force charged with determining how to implement SB 1368, which provides for the safe surrender of unwanted newborns. The Task Force shall be comprised of one representative from each of the following agencies or organizations: the Department of Public Health, the District Attorney's Office, the Fire Department, the Department of Children Youth, and their Families, the Juvenile Probation Department, the Youth Commission (or their designee), the San Francisco Unified School District, the Mental Health Board, the Department of Human Services, the Police Department, and a member of the community with expertise in the area of domestic violence.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Sophia Isom, Department of Human Services; Anne Kronenberg, Department of Public Health; Winna Davis, Department of Children, Youth and their Families; Helenya Brook, Mental Health Board; Adele Wilson; Julie Posadas, Juvenile Probation Department; Rick Spear, Children and Families Commission; Meyla Ruwin, SF Unified School District; Joanne Hayes White, Fire Department; Lieutenant Vivian Williams, Police Department; Colleen Montoya, Youth Commission; Blanca Castro, Deputy Director of California Department of Social Services; Dr. Colin Partridge, San Francisco General Hospital; Norma Hotaling, Sage Project; Ralph Ochoa; Dr. Amana Ayoub, Sage Project; Mr. Ted Lakey, Deputy City Attorney.

8/16/02 Amend page 2, line 16, after "Task Force" insert "members shall be appointed for a one year term and"; on page 3, line 4, after "violence" insert "to be appointed by the Board of Supervisors"; on line 6, after "basis" insert "beginning October 1, 2002 and sunsetting October 1, 2003. On line 9, insert a "Further Resolved" clause to read: "Further Resolved, That the lead agency for this task force shall be the Department of Human Services."

Supervisor Sandoval requested to be added as a co-sponsor.

AMENDED.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

ADJOURNMENT

The meeting adjourned at 5:31 p.m.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Tuesday, August 20, 2002 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

DOCUMENTS DEPT.

AUG 30 2002

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MEETING CONVENED

The meeting convened at 1:15 p.m.

020618 **[Amending the Rules of the Board to schedule regular Board meetings on Tuesdays at 2pm effective the week of February 2, 2003.]**

Motion amending Rule 6.2 of the Rules of Order of the Board of Supervisors to require the scheduling of regular meetings of the Board of Supervisors on Tuesdays at 2pm, instead of Mondays at 2pm, effective the week of January 12, 2003. (Clerk of the Board)

(Companion measure to File 020597.)

4/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Gloria Young, Clerk of the Board; Ted Lakey, Deputy City Attorney; Male speaker.
8/20/02 Amendment of the whole bearing new title.
To Board on September 17, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion amending Rule 6.2 of the Rules of Order of the Board of Supervisors to require the scheduling of regular meetings of the Board of Supervisors on Tuesdays at 2pm, instead of Mondays at 2pm, effective the week of February 2,2003. (Clerk of the Board)

(Companion measure to File 020597.)

REFERRED WITHOUT RECOMMENDATION by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020597 **[Establishing Board of Supervisors Regular Meeting Days]**

Supervisors Gonzalez, Newsom

Resolution establishing Tuesdays at 2 pm as the regular meeting days and times of the Board of Supervisors, beginning January 14, 2003.

4/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in committee. Speakers: Gloria Young, Clerk of the Board; Ted Lakey, Deputy City Attorney; Male speaker.
8/20/02 Amendment of the whole bearing new title.
To Board on September 17, 2002.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Resolution establishing Tuesdays at 2 pm as the regular meeting days and times of the Board of Supervisors, beginning on February 4, 2003; rescinding Resolution No. 186-87, effective January 28, 2003, which established Mondays at 2 pm as the days and times of regular meetings of the Board of Supervisors.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020135 **[Employee Claim Reimbursement]**

Hearing to consider authorizing reimbursement for the cost of personal property of a City and County employee damaged or stolen in the line of duty.

2/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

8/6/02, CONTINUED. Heard in committee. Speaker: Todd Rydstrom, Controller's office. Continued to August 20th.

Heard in committee. Speakers: Todd Rydstrom, Controller's office; Ted Lakey, Deputy City Attorney; Ann Okubo, Emergency Communications Department.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution authorizing reimbursement of $1,452.00 to Kathryn Hall for the cost of personal property of a City and County employee damaged or stolen in the line of duty.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021398 **[Appointment]**

Hearing to consider appointing two members to the Immigrant Rights Commission.

2 Seats Being Considered:
Vacant Seat, succeeding Neyde Azevedo, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004.
Vacant Seat, succeeding Marcos Eusebio Gutierrez, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004.

8/6/02, CONTINUED. Divided from file 020833. Continued to the meeting on August 20th.

8/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Dang Pham, Executive Director, Immigrants Rights Commission; Julie Wang; Rane (Lorene) Ngiyen Thi Ngoc Johnson; Mohammed Herzallah.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021379 **[Appointment]**

Hearing to consider appointing one member to the Community Land Trust Task Force.

1 Seat Being Considered:
Vacant seat, succeeding David Jay-Bonn, resigned, seat 9, must be a member of an existing community land trust organization, for the remainder of a 1 year term expiring 12/7/02.

8/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in committee. Speaker: Rob Eshelman.
Appointment of Rick Lewis, seat 9, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Rick Lewis, term ending December 7, 2002, to the Community Land Trust Task Force. Residency requirement waived.

Rick Lewis, succeeding David Jay-Bonn, resigned, seat 9, must be a member of an existing community land trust organization, for the remainder of a 1 year term expiring 12/7/02.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021370 [Appointment]

Hearing to consider appointing three members to the Assessment Appeals Board 1.

3 Seats Being Considered:
Vacant seat, succeeding Diane Robinson, term expired, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. *Pursuant to Section 1623 the three year term will end on the first Monday in September; for a three year term ending September 5, 2005.
Vacant seat, succeeding Ronald Chun, resigned, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. *Pursuant to Section 1623 the three year term will end on the first Monday in September; for the unexpired portion of a three year term ending September 6, 2003.
Vacant seat, succeeding Stephan Wasserman, term expired, seat 7, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. *Pursuant to Section 1623 the three year term will end on the first Monday in September; for a three year term ending September 5, 2005.

8/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

8/13/02, CLERICAL CORRECTION. Added seat 3, succeeding Diane Robinson, term expired 9/2/02 and seat 7, succeeding Stephen Wasserman, term expired 9/2/02.

Heard in committee. Speakers: Dawn Duran, Assessment Appeals Board; Diane Robinson; Carol Ruth Silver; Thomas Ramm.

Appointment of Diane Robinson, seat 3; Carol Ruth Silver, seat 7, and Thomas Ramm, seat 4 recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Diane Robinson and Carol Ruth Silver terms ending September 5, 2005 and Thomas Ramm term ending September 6, 2004 to the Assessment Appeals Board 1.

Diane Robinson, succeeding herself, term expired, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. *Pursuant to Section 1623 the three year term will end on the first Monday in September; for a three year term ending September 5, 2005.
Thomas Ramm, succeeding Ronald Chun, resigned, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. *Pursuant to Section 1623 the three year term will end on the first Monday in September; for the unexpired portion of a three year term ending September 6, 2004.
Carol Ruth Silver, succeeding Stephan Wasserman, term expired, seat 7, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. *Pursuant to Section 1623 the three year term will end on the first Monday in September; for a three year term ending September 5, 2005.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020519 **[Appointment]**

Hearing to consider appointing two members to Assessment Appeals Board No. 2.

2 Seats Being Considered:
Vacant seat, succeeding Anita Bedford, resigned, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for the unexpired portion of a three-year term expiring September 4, 2003.
Vacant seat, succeeding Albert Zecher Jr., term expired, seat 8, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a three-year term expiring September 5, 2005.

3/25/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
8/13/02, CLERICAL CORRECTION.

Heard in committee. Speakers: Adrienne Lacau; Joseph K. Tham; Female Speaker.
Appointment of Adrienne Lacau, seat 1 and Joseph K. Tham seat 8, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Adrienne Lacau term ending September 1, 2003 and Joseph K. Tham term ending September 5, 2005 to Assessment Appeals Board No. 2.

Adrienne Lacau, succeeding Anita Bedford, resigned, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for the unexpired portion of a three-year term expiring September 1, 2003.
Joseph K. Tham, succeeding Albert Zecher Jr., term expired, seat 8, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a three-year term expiring September 5, 2005.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021396 **[Appointment]**

Hearing to consider appointing eleven members to the Delinquency Prevention Commission.

11 Seats Being Considered:
Vacant seat, new position, seat 1, must be nominated by Supervisor Ammiano, for a new 4-year term.
Vacant seat, new position, seat 2, must be nominated by Supervisor Daly, for a new 4-year term.
Vacant seat, new position, seat 3, must be nominated by Supervisor Gonzalez, for a new 4-year term.
Vacant seat, new position, seat 4, must be nominated by Supervisor Hall, for a new 4-year term.
Vacant seat, new position, seat 5, must be nominated by Supervisor Leno, for a new 4-year term.
Vacant seat, new position, seat 6, must be nominated by Supervisor Maxwell, for a new 4-year term.
Vacant seat, new position, seat 7, must be nominated by Supervisor McGoldrick, for a new 4-year term.
Vacant seat, new position, seat 8, must be nominated by Supervisor Newsom, for a new 4-year term.
Vacant seat, new position, seat 9, must be nominated by Supervisor Peskin, for a new 4-year term.
Vacant seat, new position, seat 10, must be nominated by Supervisor Sandoval, for a new 4-year term.
Vacant seat, new position, seat 11, must be nominated by Supervisor Yee, for a new 4-year term.

8/2/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Jeannie Hwang Bray, Delinquency Prevention Commission; Enola Maxwell, Brian Hugh Henning; Cameron Coulter; Bob Schmitt;
Appointment of Benson Wong, Brian Hugh Henning, Cameron Coulter, Bob Schmitt, Michael Red, Lily Rahnema, Judith Teracina, Enola Maxwell and Joanna Hernandez terms to be determined, to the Delinquency Prevention Commission.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Benson Wong, Brian Hugh Henning, Cameron Coulter, Bob Schmitt, Michael Red, Lily Rahnema, Judith Teracina, Enola Maxwell and Joanne Hernadez terms ending September 4, 2006, to the Delinquency Prevention Commission.

Benson Wong, new position, seat 1, must be nominated by District 1 Supervisor for a new 4-year term ending September 4, 2006.
Brian Hugh Henning, new position, seat 2, must be nominated by District 2 Supervisor, for a new 4-year term ending September 4, 2006.
Cameron Coulter, new position, seat 3, must be nominated by District 3 Supervisor, for a new 4-year term ending September 4, 2006.
Bob Schmitt, new position, seat 4, must be nominated by District 4 Supervisor, for a new 4-year term ending September 4, 2006.
Michael Red, new position, seat 5, must be nominated by District 5 Supervisor, for a new 4-year term ending September 4, 2006.
Lily Rahnema, new position, seat 6, must be nominated by District 6 Supervisor, for a new 4-year term ending September 4, 2006.
Judith Teracina, new position, seat 7, must be nominated by District 7 Supervisor, for a new 4-year term ending September 4, 2006.
Vacant seat, new position, seat 8, must be nominated by District 8 Supervisor, for a new 4-year term ending September 4, 2006.
Vacant seat, new position, seat 9, must be nominated by District 9 Supervisor, for a new 4-year term ending September 4, 2006.
Enola Maxwell, new position, seat 10, must be nominated by District 10 Supervisor, for a new 4-year term ending September 4, 2006.
Joanne Hernandez, new position, seat 11, must be nominated by District 11 Supervisor, for a new 4-year term ending September 4, 2006.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021189 **[Skateboarding Task Force]**

Supervisors Newsom, Sandoval

Resolution establishing a Skateboarding Task Force that will provide policy recommendation, and advise the Board Of Supervisors, Recreation and Park Department, Police Department, San Francisco Unified School District, Port of San Francisco and Youth Commission regarding skateboarding policies, issues and activities, and serve as the official advisory body on skateboarding issues in the City and County of San Francisco.
7/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
8/12/02, SUBSTITUTED Supervisor Newsom submitted a substitue resolution bearing new title.
8/12/02, ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Captain Steven Tacheni, Police Department; Commander Rob Puts, Police Department; Jesse Argenin, aide to Supervisor Newsom; Linda Woo, Nicole Dursey, Youth Commission; Justin Fikelsen, Youth Commission; Jimmy Shores, Recreation and Park Department; Nikill Seaffer; Bruce Nice; Ms. Gray; Mark Reader; Paul Willamson, Port of San Francisco; Female Speaker; Tommy Guerro; William Rauol; Sam Cohen; Pablo Romano; Jessica Rollin; Joseph Josephan; John Hays; Kenny Washington; Sean Guterriez; Bryan Ortega; Ted Lakey, Deputy City Attorney.
8/20/02 Amendment of the whole further amended; on page 4, line 1, delete "office of the Clerk" and insert "Task Force"; on line 2, after "requirements" insert "in conjunction with the Youth Commission and the Recreation and Parks Department. On page 7, line 8, after "further resolved" delete That the Board of Supervisors will provide administrative support to the Task Force in conjunction with" and on line 9 after "further resolved" insert "That there shall be" and on line 10 after "support" insert "to the Task Force" Supervisor Sandoval requested to be added as a co-sponsor.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Resolution establishing a Skateboarding Task Force to provide policy recommendation, and advise the Board Of Supervisors, Recreation and Park Department, Police Department, San Francisco Unified School District, Port of San Francisco and Youth Commission regarding skateboarding policies, issues and activities, and to serve as the designated advisory body regarding skateboarding issues for the City and County of San Francisco.

RECOMMENDED AS AMENDED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

LITIGATION

Conference with City Attorney

(Convene in Closed Session)
Motion that the Rules and Audits Committee of the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlements in the lawsuits or claims listed below.

Unanimous vote to convene in closed session by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020942 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Cecelia Wade against the City and County of San Francisco for $250,000; the lawsuit was filed on July 11, 2001 in the San Francisco Superior Court and later was transferred to the District Court of the Northern District of California, Case No. C01-3165; entitled Cecelia Wade, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
6/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
8/6/02, CONTINUED. Continued to August 20th.
Referred without recommendation to Closed session meeting of the Board 8/26/02.
REFERRED WITHOUT RECOMMENDATION by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021288 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Percival Agoncillo against the City and County of San Francisco for $62,500; the lawsuit was filed on November 17, 1999 in San Francisco Superior Court, Case No. 307-953; entitled Percival Agoncillo v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)
7/23/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021287 [Settlement of Claim]

Resolution approving the Settlement of Unlitigated Claim of California Department of Forestry and Fire Protection (CDF) for $50,000.00; Claim was filed on December 28, 2001. (City Attorney)

7/23/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021323 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Lee Reese against the City and County of San Francisco for $72,500.00; the lawsuit was filed on February 23, 2000 in Superior Court, Case No. 310-163; entitled Lee Reese v. California Bethel AME-Church, Inc., City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

8/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021449 [Settlement of Lawsuit]

Ordinance authorizing offer of settlement of the lawsuit filed by Dillingham Construction N.A., Inc. against the City and County of San Francisco for $350,000.00; the lawsuit was filed on March 19, 2001 in San Mateo County Superior Court, Case No. 416236; entitled Dillingham Construction N.A., Inc., et al., v. City and County of San Francisco, et al; other material terms of said settlement are that the settlement amount is to be paid through the release of such monies from the retention account for SFIA Airport Contract No. 5500.J North Connector Package in exchange for dismissal with prejudice of the lawsuit and the waiver of costs and attorneys fees. (City Attorney)

(No Public Benefit Recipient.)

8/9/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Rules and Audits Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]
Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Unanimous vote not to disclose closed session to the public by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

ADJOURNMENT

The meeting adjourned at 6:28 p.m.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Friday, August 23, 2002 | **10:00 AM** | **City Hall, Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

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MEETING CONVENED

The meeting convened at 10:10 a.m.

021444 **[Confirming the appointment of Michelle Sexton to the San Francisco Redevelopment Agency]**

Resolution confirming the appointment of Michelle Sexton to the San Francisco Redevelopment Agency for the remainder of a four-year term ending September 3, 2003. (Mayor)

8/13/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Sponsor requests this item be scheduled for consideration at the August 23, 2002 special Rules Committee meeting.

Heard in committee. Speakers: Karin Carlson, Mayor's office; Michelle Sexton.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Sandoval
Absent: 1 - Gonzalez

021100 **[Claudine Cheng Reappointment to the Treasure Island Development Authority]**

Mayor

Resolution confirming the reappointment of Ms. Claudine Cheng to the Treasure Island Development Authority, term ending April 28, 2006. (Mayor)

6/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

8/6/02, CONTINUED TO CALL OF THE CHAIR. Speakers: None

Heard in committee. Speakers: Mary Ann Conroy; Claudine Cheng; Karen Knowles Pearce; Piero Patri; Richard Ow; Phil Tam.

RECOMMENDED "DO NOT PASS" by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Noes: 1 - Hall

021383 **[Rebuttal Argument - Water and Sewer]**

Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition E, a Charter Amendment regarding changes to public utilities related to water and sewer

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

FILED by the following vote:

Ayes 3 - Hall, Gonzalez Sandoval

021385 **[Rebuttal Argument - Retirement Benefits for Police and Fire personnel]**

Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition H, a Charter Amendment regarding retirement benefits for Police and Fire personnel.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

FILED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021387 **[Rebuttal Argument - Elections Department]**

Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition G, a Charter Amendment regarding assistance to the Elections Department.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Ted Lakey, Deputy City Attorney; John Arntz, Elections Department. 8/23/02 Amend the title and body to insert the measure letter designation "G".

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021389 **[Rebuttal Argument - Revenue Bond Election]**

Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition A, Bond Measure regarding a Revenue Bond Election.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Ted Lakey, Deputy City Attorney; John Arntz, Elections Department. 8/23/02 Amend the title and body to insert the measure letter designation "A".

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021327 **[Rebuttal Argument - Entertainment Commission]**

Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Motion authorizing rebuttal to opponent's ballot argument against Proposition F, a Charter Amendment regarding Entertainment Commission.

8/5/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: None.
8/23/02 Amend the title and body to insert the measure letter designation "F".

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021391 **[Rebuttal Argument - Paid Parental Leave]**

Supervisor Daly

Motion authorizing rebuttal to opponent's ballot argument against Proposition I, a Charter Amendment regarding paid parental leave.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

FILED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021393 **[Rebuttal Argument - Supervisors Salaries]**

Supervisors Gonzalez, Leno, Ammiano, Sandoval

Motion authorizing rebuttal to opponent's ballot argument against Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: None.

8/23/02 Amend the title and body to insert the measure letter designation "J".

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021395 **[Rebuttal Argument - Energy Self-sufficiency]**

Supervisors Gonzalez, Daly, Maxwell

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, a Charter Amendment regarding energy self-sufficiency.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: None.

8/23/02 Amend the title and body to insert the measure letter designation "D".

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021329 **[Rebuttal Argument - Veterans Building Special Election]**

Supervisor Sandoval

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a Bond Measure regarding Veterans Building Special Election.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: None.

8/23/02 Amend the title and body to insert the measure letter designation "C".

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021331 **[Rebuttal Argument - Condominium Conversion Regulations]**

Supervisor Peskin

Motion authorizing rebuttal ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Ted Lakey, Deputy City Attorney; Mr. Harland; Steven Collier; Female Speaker; Ted Gulickson; Sean Elsbernd, aide to Supervisor Hall.
8/23/02 Amend the title and body to insert the measure letter designation "R".

AMENDED.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

ADJOURNMENT

The meeting adjourned at 2:33 p.m.

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City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Friday, August 23, 2002 | **11:00 AM** | **City Hall, Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez.

Members Absent: Gerardo Sandoval.

MEETING CONVENED

The meeting convened at 2:30 p.m.

021359 **[Voting Modernization Bond Act of 2002]**

Supervisor Peskin

Resolution approving the application for funds under the Voting Modernization Bond Act of 2002 (Proposition 41).

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in committee. Speakers: Corinna Monsoon, Controller's office.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

ADJOURNMENT

The meeting adjourned at 2:33 p.m.

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Dr. Carlton B. Goodlett Place, Room 244
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Notice of Cancelled Committee Meetings
OF THE BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the regularly scheduled Committee Meetings of the San Francisco Board of Supervisors for August 27, 2002 through September 16, 2002 are cancelled.

Gloria L. Young
Clerk of the Board

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City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Deborah Muccino

Wednesday, September 18, 2002 **1:00 PM** **City Hall, Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

Meeting Convened

The meeting convened at 1:12 p.m.

REGULAR AGENDA

021547 [Appointment]
Resolution appointing Toye Moses, term ending September 4, 2006, to the Delinquency Prevention Commission.

Toye Moses, new position, seat 8, must be nominated by District 8 Supervisor for a new 4-year term ending September 4, 2006.
9/9/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
Heard in Committee. Speakers: Toye Moses.
RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

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021546 [Appointment]

Hearing to consider appointing two members to the Children and Families Trust Fund and Commission.

2 Seats Being Considered:

Vacant Seat, succeeding Margaret Brodkin, Seat 5, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a new four-year term ending April 29, 2006;

Vacant Seat, succeeding Francisco Ramos-Gomez, Seat 8, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a new four-year term ending April 29, 2006.

9/9/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Rick Spear, Director of the Children and Families Trust Fund and Commission; Margaret Brodkin; Norman Yee; Terry Giovannini; Ted Lakey, Deputy City Attorney.

Seat 8 divided and continued to the call of the chair. See file No. 021589.

DIVIDED.

Hearing to consider appointing one member to the Children and Families Trust Fund and Commission.

1 Seat Being Considered:

Vacant Seat, succeeding Margaret Brodkin, Seat 5, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a new four-year term ending April 29, 2006.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Terry Giovannini, term ending April 29, 2006, to the Children and Families Trust Fund Commission.

Terry Giovannini, succeeding Margaret Brodkin, Seat 5, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a new four-year term ending April 29, 2006.

9/18/02 Supervisor Gonzalez dissenting in committee.

Appointment of Terry Giovannini, seat 5, recommended.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Sandoval
Noes: 1 - Gonzalez

021589 **[Appointment]**

Hearing to consider appointing one member to the Children and Families Trust Fund and Commission.

1 Seat Being Considered:
Vacant seat, succeeding Francisco Ramos-Gomez, Seat 8, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a new four-year term ending April 29, 2006.

Divided from file No. 021546.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

011570 [Appointment]

Hearing to consider appointing five members to the Asthma Task Force. (Clerk of the Board)

5 Seats Being Considered:
Vacant seat, new appointment, seat 12, must be a representative of MediCal Managed Care Insurers, for a new two-year term ending June 30, 2003;
Vacant seat, succeeding Ben Loewy, resigned, seat 13, must be a representative of lung health/asthma-specific organizations, for the unexpired portion of a two-year term ending June 30, 2003.
Vacant seat, succeeding John Balmes, resigned, seat 19, must be an individual who is an academic researcher or educator concerned with asthma issues, for the unexpired portion of a two-year term ending June 30, 2003.
Vacant seat, new appointment, seat 21, must be an individual who represents property interests (non-voting member), for a new two-year term ending June 30, 2003;
Vacant seat, succeeding Michael Green, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2003.
8/16/01, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 011236.
8/22/01, RECEIVED AND ASSIGNED to Rules Committee.
11/29/01, CLERICAL CORRECTION to Rules Committee. Seat 22 added due to resignation.
1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.
7/18/02, CLERICAL CORRECTION. Added seat 13, succeeding Ben Loewy, resigned and seat 19, succeeding John Balmes, resigned.

Heard in Committee. Speakers: Deanne Rossi, Chair, Asthma Task Force; Richard Castro; Carl Rose;Ted Lakey, Deputy City Attorney; Mr. Hill.

Seats 12, 21 and 22 divided and continued to the call of the chair. See file No. 021590.

DIVIDED.

Hearing to consider appointing three members to the Asthma Task Force. (Clerk of the Board)

2 Seats Being Considered:
Vacant seat, succeeding Ben Loewy, resigned, seat 13, must be a representative of lung health/asthma-specific organizations, for the unexpired portion of a two-year term ending June 30, 2003.
Vacant seat, succeeding John Balmes, resigned, seat 19, must be an individual who is an academic researcher or educator concerned with asthma issues, for the unexpired portion of a two-year term ending June 30, 2003.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Richard Castro and Carl Rose, terms ending June 30, 2003, to the Asthma Task Force, residency requirement waived. (Clerk of the Board)

Carl Rose (residency requirement waived), succeeding Ben Loewy, seat 13, must be a representative of lung health/asthma-specific organization, for the unexpired portion a two-year term ending June 30, 2003;
Richard Castro, succeeding John Balmes, seat 19, must be an individual who is an academic researcher or educator concerned with asthma issues, for the unexpired portion a two-year term ending June 30, 2003.

Recommendation of Carl Rose, seat 13, and Richard Castro, seat 19, recommended.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021590 [Appointment]

Hearing to consider appointing three members to the Asthma Task Force.

3 Seats Being Considered:
Vacant seat, new appointment, seat 12, must be a representative of MediCal Managed Care Insurers, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 21, must be an individual who represents property interests (non-voting member), for a new two-year term ending June 30, 2003;
Vacant seat, succeeding Michael Green, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2003.

Divided from file No. 011570.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021260 [Citizens Advisory Committee for Natural Areas Program]

Supervisor Yee

Resolution establishing a Board of Supervisors Citizens Advisory Committee for the Recreation and Park Natural Areas Program.

7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

8/6/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Supervisor Yee; Elizabeth Goldstein, General Manager, Recreation and Parks Department; Stephan Doliov; Pinky Kusher; Arthur Feinstein; Rae Doyle; Bruce Engle; Greg Gaar; Karen Hu; Paul Castleman; Carolyn Blair; Linda Yaedonceci; Karen Sklar; Jeanne McKinney; Jean Lindgren; Sheila Mahoney; William Shepard; Claus Schlund; June Wilson; Ramona Albright; Ellena Clee; Eleanor Vinsant; Maryann Buxton; Nancy Wurfel; Steve Cockrell; Donald Bird; Mary McAllister; Keith McAllister; Bill Carlin; William Wilson: Martha Hoffman; Avrum Shephard; Jake Sigg; Lynne Shimet; Dana Smith; Nancy Barber; Chin Chi; Andrea Patterson; Joan Kingrey; Mary McDermott; Ralph House; Nadine May; Florence Sorrett; Wesley Day; Vicki Tiernan; Jessica Halgren; Sara Mogel; Christy Cameron; Lisa Vittori; Andrew Scoular; Irina Doliov; Female Speaker; Andrea O'Leary; Emmerich Karlman.

8/6/02 Amendment of the whole bearing same title.

8/6/02, REFERRED WITHOUT RECOMMENDATION.

8/19/02, CONTINUED. Supervisior Yee requested that this item be continued to August 26, 2002.

8/26/02, RE-REFERRED WITH PENDING AMENDMENT.

Heard in Committee. Speakers: Supervisor Leland Yee; Lisa Wayne, Director, Natural Areas Program, Recreation and Park Dept.; Mike Morlin, Acting Superintendent, Recreation and Park Dept.; Carol Blair, Executive Director, Tree Council; Robert Laws; William Shepard; David Young; Donald Bird; Greg Gaar; Ramona Albright; Stan Kaufman; Wesley Day; June Wilson; Bruce Engle; Florence Sarrett; Carolyn Blair; Ellena Isael Clee; Carla Brauer; Nancy Barber; Margaret Best; Karin Hu; Steve Cockrell; Mary McAllister; Eleanor Vinsant; Danyielle Yacobacci; Robert Laws; Irina Doliov; Mr. Ranspell; Stephan Doliov; David Kulick; Ed Conner; Jake Sigg; Adrea Leary; Sheila Mahoney; Nikki Terran; Bill Carlin; Denise Scrivner; male speaker; Isabel Wade; Courtney Clarkson.

9/18/02 Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Resolution establishing a Board of Supervisors Citizens Advisory for the Recreation and Parks Natural Areas Program.

RECOMMENDED AS AMENDED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

LITIGATION

Conference with City Attorney

[Convene in Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlement listed below.

021452 **[Settlement of Claim]**

Resolution approving the settlement of the unlitigated claim filed by Elizabeth Clot against San Francisco for $75,000; claim was filed on July 12, 2002. (City Attorney)

(Public Benefit Recipient.)

8/19/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021530 **[Settlement of Lawsuit - Mary Lou Cordero]**

Ordinance authorizing settlement of the lawsuit filed by Mary Lou Cordero against the City and County of San Francisco for $100,000; the lawsuit was filed on August 27, 2001, in the San Francisco Superior Court, Case No. 324-064; entitled Mary Lou Cordero v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

9/3/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021531 **[Settlement of Lawsuit - Silvia Landau]**

Ordinance authorizing settlement of the lawsuit filed by Silvia Landau against the City and County of San Francisco for $73,000; the lawsuit was filed on April 27, 2000 in San Francisco Superior Court, Case No. 311768, entitled Silvia Landau v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

9/18/02 Supervisor Sandoval dissenting in committee.

9/3/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Noes: 1 - Sandoval

021532 **[Settlement of Grievance - Gabriel Castillo]**

Ordinance authorizing settlement of the grievance (ERD No. 83-02-0790) of Gabriel Castillo against the City and County of San Francisco for $93,938.15 (including $72,427.50 to Castillo as back wages; $16,392.08 to the City's Retirement System to make up shortages in Castillo's retirement account; $3,938.15 to the City's Retirement System as reimbursement for withholding tax and health coverage premiums; and $1,180.42 as a lump sum payment to Castillo). Other material terms of said settlement are Castillo shall not seek future employment with the City and he shall release all claims relating to his dismissal as a 2320 Registered Nurse. Castillo shall also return all uncashed pension warrants in the amount of $19,625.24 to the Office of the City Attorney. (City Attorney)

(Public Benefit Recipient.)

9/4/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

The meeting adjourned at 6:05 p.m.

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1 Dr. Carlton B.
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City and County of San Francisco
Meeting Minutes
Rules and Audits Committe

Members: Supervisors Tony Hall, Matt Gonzalez and G

Clerk: Deborah Muccino

Tuesday, October 01, 2002 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

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Meeting Convened

The meeting convened at 1:27 p.m.

REGULAR AGENDA

021570 **[Waiver Permitting City Employees to Serve as Field Election Deputies and Otherwise Assist the Department of Elections on November 5, 2002.]**

Supervisor Ammiano

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit employees of the Controller's Office and the City Attorney's Office and civil servants working for City departments, other than departments whose elective officer is standing for election on November 5, 2002, to serve as Field Election Deputies and otherwise assist the Department of Elections on November 5, 2002.

9/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speaker: John Arntz, Acting Director of Elections.

10/1/02-Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to serve as field Election Deputies and otherwise assist the Department of Elections on November 5, 2002.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021571 **[Appointment - Telecommunications Commission]**

Mayor

Resolution approving the Mayor's appointment of Elizabeth A. Inadomi to the Telecommunications Commission, for the term ending July 1, 2005. (Mayor)

9/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee. Speakers: Denise Brady, DTIS; Elizabeth Inadomi.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021398 [Appointment]

Resolution appointing two members to the Immigrant Rights Commission.

2 Seats Being Considered:
Vacant Seat, succeeding Neyde Azevedo, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004.
Vacant Seat, succeeding Marcos Eusebio Gutierrez, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004.

8/6/02, CONTINUED. Divided from file 020833. Continued to the meeting on August 20th.

8/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

8/20/02, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Dang Pham, Executive Director, Immigrants Rights Commission; Julie Wang; Rane (Lorene) Nguyen Thi Ngoc Johnson; Mohammed Herzallah.

Heard in Committee. Speakers: Dang Pham, Immigrant Rights Commission; Richard Ow; Saif Ataya; Larisa Casillas; Mohammad Herzallah.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020629 [Appointment]

Hearing to consider appointing six members to the Drug Abuse Advisory Board.

6 Seats Being Considered:
Vacant seat, succeeding Elizabeth Aguilar-Tarchi, resigned, seat 1, must represent law enforcement, for the unexpired portion of a three year term ending October 1, 2003;
Vacant seat, succeeding Dina Santana, term expired, seat 2, must represent law enforcement, for a new three year term ending October 1, 2005;
Vacant seat, succeeding Richard Gee, seat 4, term expired, must represent the public at large, for a new three year term ending October 1, 2005;
Vacant seat, succeeding Yvonne Littleton, seat 5, term expired, must represent the public at large or service provider, for a new three year term ending October 1, 2005;
Vacant seat, succeeding Kevin Sharps, seat 6, term expired, must represent the public at large or service provider, for a new three year term ending October 1, 2005;
Vacant seat, succeeding Victoria Hunt, term expired, seat 7, must represent the public at large or a service provider, for a new three year term ending October 1, 2005.

4/16/02, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 020336.

4/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

7/26/02, CLERICAL CORRECTION. Added seat 1, succeeding Elizabeth Aguilar-Tarchi, resigned.

9/26/02, CLERICAL CORRECTION. Added seats 2, 4, 5, and 6 due to expiration of terms.

Heard in Committee. Speaker: Paul Kangas.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020911 **[Agreement with AtPac to provide a retally of the ballots cast in the 11/7/00 Consolidated Municipal Election and recanvass ballots cast in a random sample of precincts in the 11/6/01 Consolidated Municipal Election]**

Motion requesting that the Clerk of the Board, in consultation with the Office of the Secretary of State, and the Elections Commission, enter into an agreement with AtPac to provide a retally of the ballots cast in the November 7, 2000 Consolidated Municipal Election and recanvass ballots cast in a random sample of precincts in the November 6, 2001 Consolidated Municipal Election. (Clerk of the Board)

(Fiscal impact.)

5/28/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
6/3/02, REFERRED to Rules and Audits Committee. Supervisor Hall requested this matter be severed so it could be considered separately.

Supervisor Hall requested this matter be referred to committee.

Heard in Committee. Speakers: Gloria L. Young, Clerk of the Board; John Arntz, Acting Director of Elections; Elaine Forbes, Budget Analyst's Office; William Bowen.

Continued to a date after the November 5, 2002 elections.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021176 **[2001-2002 San Francisco Civil Grand Jury Report]**

Hearing on the recommendation of the 2001-2002 San Francisco Civil Grand Jury regarding Professional Services Contracts II - Contracts Below $50,000 and Sole Source Contracts. (Clerk of the Board)

7/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Response by 9/20/02, within 90 days of June 25, 2002.
8/16/02, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speaker. Jane Levole.

Heard in Committee. Speakers: William Bowen; Ed Harrington, Controller; Ms. Blackwell; Gloria L. Young. Clerk of the Board.

FILED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020953 **[2001-2002 San Francisco Civil Grand Jury Report]**

Supervisor Hall

Hearing on the recommendations of the 2001-2002 San Francisco Civil Grand Jury, regarding the April 2002 Professional Services Contracts report.

5/28/02, RECEIVED AND ASSIGNED to Rules and Audits Committee
6/4/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: William G. Bowen, Foreman, 2001-02 Civil Grand Jury; Edward Harrington, Controller; Ms. Blackwell, San Francisco Purchasing Department.

Heard in Committee. Speakers: William Bowen; Gloria L. Young. Clerk of the Board.

FILED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020952 **[2001-2002 San Francisco Civil Grand Jury Report]**

Supervisor Hall

Hearing on the recommendations of the 2001-2002 San Francisco Civil Grand Jury, regarding the April 2002 billboard report.

5/28/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

6/4/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: William G. Bowen, Foreman, 2001-02 Civil Grand Jury; Didi Workman; Supervisor Mark Leno.

Heard in Committee. Speakers: William Bowen; Gloria L. Young, Clerk of the Board.

FILED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021565 **[Interim Management Letters, City's 2001-2002 Audit]**

Supervisor Hall

Hearing to consider the Interim Management Letters for the City and County of San Francisco as presented by the City's external auditors for the fiscal year 2001-2002 audit.

9/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Sponsor requests this item be scheduled for consideration at the October 1, 2002 meeting.

Heard in Committee. Speakers: Ed Harrington, Controller; Tiffiny Rapinsin, KPMG.

FILED by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

021609 **[Planning Commission - Alternative Review Process]**

Supervisor Peskin

Reenactment of emergency ordinance amending the San Francisco Planning Code by amending Section 306, and amending the San Francisco Administrative Code by amending Sections 2A.53 and 31.04, to provide for an alternative process to Planning Commission review where the Planning Commission is unable to meet because a majority of its members has not been appointed; adopting declaration of emergency under Charter Section 2.107; and setting forth period of time within which this reenacted emergency ordinance shall be operative.

9/23/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Sponsor requests this item be scheduled for consideration at the October 1, 2002 meeting.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Supervisor Aaron Peskin.

For Board review on October 15, 2002.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021502 **[Establishing new timetables for submission of the budget]**

Supervisor McGoldrick

Ordinance amending Administrative Code Section 3.3 to require agencies, boards and commissions to submit budget estimates to the Controller by the 21st of January; require the Controller to consolidate and submit budget estimates to the Mayor by the first working day in February; require the Mayor to submit a preliminary budget to the Board of Supervisors by the first working day of March, and a proposed budget to the Board of Supervisors by the first working day of May; amending Administrative Code Section 3.4 to reflect the new deadline for submission of the Mayor's proposed budget to the Board of Supervisors.

8/26/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 9/25/2002.

9/26/02, TRANSFERRED to Rules and Audits Committee.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

LITIGATION

Conference with City Attorney

[Convene in Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlement listed below.

021535 **[Settlement of Unlitigated Contractual Dispute]**

Ordinance authorizing settlement of the unlitigated contractual dispute between the City and County of San Francisco and Health Management Systems, Inc. for a $550,000 payment to the City and amendment to the contract. (City Attorney)

(No Public Benefit Recipient.)

9/18/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Sandoval
Absent: 1 - Gonzalez

ADJOURNMENT

The meeting adjourned at 4:00 p.m.

[Budget Analyst Report]
Susan Hom
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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

September 26, 2002

TO: Rules and Audits Committee

FROM: Budget Analyst

SUBJECT: October 1, 2002 Rules and Audits Committee Meeting

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Item 5 – File 02-0911

Departments:	Clerk of the Board Elections Commission
Item:	Motion requesting that the Clerk of the Board of Supervisors, in consultation with the Office of the Secretary of State and the Elections Commission, enter into an agreement with AtPac to provide a retally of the ballots cast in the November 7, 2000 Consolidated Municipal Election and recanvass ballots cast in a random sample of precincts in the November 6, 2001 Consolidated Municipal Election.
Amount:	$275,405
Source of Funds:	General Fund Reserve
Description:	On February 25, 2002, the Board of Supervisors directed the Clerk of the Board, in consultation with the California Secretary of State and the City's Elections Commission and subject to approval of the Board of Supervisors, to select an auditor to retally the ballots cast in the November 7, 2000 Municipal Election and to recanvass ballots cast in a random sample of precincts from the November 6, 2001 Municipal Election (File 02-0087). The

proposed motion would request that the Clerk of the Board of Supervisors, in consultation with the Secretary of State and the Elections Commission, enter into a contract with AtPac for a total of $275,405 to retally the ballots cast at the November 7, 2000 Municipal Election and recanvass ballots cast from a random sample of precincts from the November 6, 2001 Municipal Election.

Comments:

1. On March 30, 2002, the Clerk of the Board of Supervisors issued a Request for Proposals (RFP) to one firm, Ingrid Gonzales, for the subject tasks related to the November 7, 2000 election and the November 6, 2001 election in the City and County of San Francisco. According to Ms. Gloria Young, one other firm, AtPac, received the RFP from the Secretary of State's Office. AtPac was the sole respondent to the RFP.

2. As shown in Attachment I, which was part of AtPac's proposal, to complete all of the tasks as proposed would cost $275,405. This estimate is based on labor costs of $234,200 for 804 senior staff hours at $195 per hour and 2,212 staff hours at $35 per hour, or a total of 3,016 hours at an average hourly rate of $77.65. In addition, the Budget Analyst notes that AtPac, which is based in Grass Valley, California, is proposing a daily per diem rate of $205 for 201 days for their senior staff for an additional cost of $41,205. The Budget Analyst questions the reasonableness of including this additional $41,205 per diem charge, which represents 14.96 percent of the total contract costs of $275,405.

3. AtPac's proposal includes Task 1A - 2000 Inventory, Task 1B - 2000 Ballot Audit, Task 1C - 2000 Ballot Recount and Task 2 - 2001 Ballot Audit. As noted in the comments submitted by the Office of the Secretary of State, which is outlined in a letter from the Clerk of the Board and included as Attachment II to this report, Task 1A may reveal the required information regarding the November 7, 2000 election. The Secretary of State further advises that if Task 1A is not sufficient, then Tasks 1A and 1B in combination would be sufficient to provide the necessary explanation and would be sufficient to close the issues raised by the Secretary of State's investigation. As a result, the Secretary of State's Office advises that Task 1C would not be needed. Furthermore, the Secretary of

State notes that Task 2, the audit of the 2001 election is a local issue, and would be at the sole discretion of San Francisco. The Rules and Audits Committee may therefore wish to consider amending the proposed agreement between the City and AtPac to delete (1) Task 1C – 2000 Ballot Recount at an estimated cost of $123,640 and (2) Task 2 – 2001 Ballot Audit at an estimated cost of $61,820, for a total reduction of $185,460 in the subject agreement. If both of such reductions are included, the total subject contract costs, including per diem charges, would be $89,945 ($275,405 contract total less $185,460 for Task 1C and Task 2).

3. In accordance with AtPac's proposal, the Department of Elections staff would be assigned as needed to support AtPac in accomplishing the identified tasks, a City Project Manager would coordinate all aspects of the engagement and the Secretary of State would work with AtPac and the City's Project Manager to coordinate access to retained election materials. Ms. Young advises that the City's Project Manager would need to be identified. As of the writing of this report, Ms. Young could not estimate the specific number of hours or costs associated with the City's staffing assignments necessary to assist AtPac.

4. Mr. John Arntz of the Department of Elections advises that given the upcoming election on November 5, 2002 and the likelihood of a December of 2002 runoff election in San Francisco, if the proposed agreement with AtPac is approved and the Department of Elections staff are to be involved in the subject tasks, the work to be done in connection with the contract should not commence until February of 2003.

5. The proposed motion requests that the Controller prepare a supplemental appropriation in an amount not to exceed $275,405 to cover the estimated costs of the subject AtPac agreement. According to Ms. Young, the Secretary of State's Office has not offered to contribute any funds to pay for the AtPac contract. Ms. Young states that the City would need to negotiate with the Secretary of State for any funds which the Secretary of State may contribute to the costs associated with the contract.

Recommendation: Approval of the proposed motion is a policy matter for the Board of Supervisors.

Fee Proposal

The following fee proposal is an estimation of what we believe the project will cost the City based on our current knowledge. The quoted staffing fees are good for 120 days from the date on the cover letter.

The below fees are quoted in good faith to be "not to exceed " amounts. However, we reserve the right to amend these fees based unforeseen circumstances during the course of the project.

Unless otherwise provided by the City, project supplies and materials are billed at cost plus 15%.

In lieu of a project retainer, this engagement will be invoiced based on the following schedule:

- 30% at the start of a Task,
- 50% upon submission of the FIRST DRAFT and
- 20% upon submission of the FINAL DRAFT.

San Francisco Elections Audit
Confidential AtPac Pricing Worksheet

May 3, 2002

RFP Item Description

Staffing Hourly rate per person	Sr. Staff $195.00 Pers. Hrs	Staff $85.00 Pers. Hrs	Ext. Price	
Task 1A – 2000 Inventory	100	100	$ 23,000.00	
Task 1B – 2000 Ballot Audit	176	528	$ 52,800.00	
Task 2 – 2001 Ballot Audit	176	528	$ 52,800.00	
Subtotal Project Hours	452	1156		$ 128,600.00
Task 1C – 2000 Ballot Recount	352	1056	$ 105,600.00	
Total Project Hours	804	2212		$ 234,200.00

Per Diem Daily Per Diem Rate Per Person**	Sr. Staff $205.00 Pers. Days	Staff $0.00 Pers. Days	Ext. Price	
Task 1A – 2000 Inventory	25	0	$5,125.00	
Task 1B – 2000 Ballot Audit	44	0	$9,020.00	
Task 2 – 2001 Ballot Audit	44	0	$9,020.00	
Subtotal Project Hours	113	0		$23,165.00
Task 1C – 2000 Ballot Recount	88	0	$18,040.00	
Total Project Hours	201	0		$41,205.00

Project Pricing Summary	Staffing	Per Diem	Ext. Price	
Task 1A – 2000 Inventory	$ 23,000.00	$5,125.00	$ 28,125.00	
Task 1B – 2000 Ballot Audit	$ 52,800.00	$9,020.00	$ 61,820.00	
Task 2 – 2001 Ballot Audit	$ 52,800.00	$9,020.00	$ 61,820.00	
Subtotal Project Hours	$ 128,600.00	$ 23,165.00		$ 151,765.00
Task 1C – 2000 Ballot Recount	$ 105,600.00	$18,040.00	$ 123,640.00	
Total Project Hours	$ 234,200.00	$ 41,205.00		$ 275,405.00

*It is assumed that all staff will be local and there is no per diem.

**This rate includes lodging, meals and parking for one person per day.

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

May 28, 2002

The Honorable Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Subject: Audit of the November 7, 2000 and November 6, 2001 Consolidated Municipal Elections

Dear Supervisors:

On February 25, 2002, the Board of Supervisors adopted Motion No. M02-36 (attached). The motion requested that the Clerk of the Board, in consultation with the Secretary of State, submit to the Board for approval Requests for Proposals (RFP) that were submitted by potential auditors. The RFPs should define the scope of duties to be performed and the cost for performing the work, specifying the scope of duties and costs for both the November 2000 and November 2001 elections.

The RFP and the sole response from AtPac are attached. AtPac's proposal enumerates the cost of each task as noted in the RFP. AtPac identified the specific tasks separately and jointly as required. It identified the needs for assistance from the Department of Elections. AtPac will provide a comparison of policies and procedures with at least two other counties and will identify improvements that need to be implemented. The proposal noted two pricing structures; e.g., the use of local staff and the use of staff from outside of the areas that need to be paid a per diem rate. The proposal also indicated that the project would require a retainer of 30 percent at the start of the Task, 50 percent upon submission of the first draft and 20 percent upon submission of the final draft. If the Board of Supervisors approves the motion, the issues identified above will be addressed during contract negotiations.

The RFP was reviewed and approved by the Human Rights Commission (HRC) and on file in the Office of the Clerk of the Board is a letter from the HRC indicating that AtPac was responsive to HRC's requirements.

The Office of the Secretary of State (Office) also reviewed the proposal. Following is an outline of their comments:

1. The proposal appears to address all the necessary issues, and specifically provides the city/county flexibility with a "step-wise" approach. The Office is seeking an explanation of the discrepancies between the City and County of San Francisco's 2000 Statement of Vote and vote results from their random sample of precincts. The least burdensome path to that explanation is best for everyone.

2. In this step-wise process, it is possible that Task 1A will reveal information that can provide the explanation that the Office is seeking. If so, there would be no need for further steps. Task 1A really should be undertaken in any case, either by the Department or through this contract, in order to meet state and federal record retention requirements.

3. The Office is of the opinion that if Task 1A is not sufficient to provide the necessary explanation, Tasks 1A and 1B in combination will be sufficient. The Office does not believe that Task 1C will be necessary. A report from San Francisco, based on the findings of Task 1A and 1B, should be sufficient to close the issues raised in our investigation.

4. Task 2, the audit of the 2001 election, is a local issue. The Office is interested in resolving the discrepancies in the 2000 election. Task 2 is at the sole discretion of San Francisco.

Attached is a motion for the Board's consideration with respect to the audit of elections.

If you have any questions, please contact me at 554-7747.

Respectfully,

GLORIA L. YOUNG
Clerk of the Board

Attachments

c: Office of the Secretary of State
Elections Commission
Department of Elections

Item 11 - File 02-1502

Departments: Mayor's Office
Board of Supervisors
Controller's Office

Item: Ordinance amending Administrative Code Section 3.3 to require agencies, boards and commissions to submit budget estimates to the Controller by the 21st of January; require the Controller to consolidate and submit budget estimates to the Mayor by the first working day in February; require the Mayor to submit a preliminary budget to the Board of Supervisors by the first working day of March, and a proposed budget to the Board of Supervisors by the first working day of May; amending Administrative Code Section 3.4 to reflect the new deadline for submission of the Mayor's proposed budget to the Board of Supervisors.

Description: The proposed ordinance would amend the City's Administrative Code to move up the various deadlines for submission of the annual budget by one month.

Specifically, each City and County department, agency, board or commission is currently required to submit their annual budget estimates to the Controller's Office by February 21st of each year. Under the proposed ordinance, these annual budget estimates would be due from the departments to the Controller's Office by January 21st.

Currently, the Controller is then responsible for consolidating the annual budget estimates and transmitting this information to the Mayor by the first working day of March. Under the proposed ordinance, such budget estimates would need to be consolidated and transmitted to the Mayor by the first working day of February.

In FY 2001-02, the Mayor was responsible for transmitting a preliminary budget for FY 2002-03 to the Board of Supervisors by the first working day

in April of 2002. Under the proposed ordinance, the Mayor would be responsible for transmitting a preliminary budget for the upcoming fiscal year by the first working day in March of each year.

Currently, the Mayor is responsible for transmitting the proposed annual budget, including detailed estimates of revenues and amounts required to meet bond interest and fixed charges, together with the Mayor's budget message and a draft annual appropriation ordinance, prepared by the Controller by the first working day of June of each year. Under the proposed ordinance, the Mayor would be responsible for transmitting these budget documents by the first working day of May of each year.

The proposed ordinance would also delete the current references to the existing timetable for budget submissions, which sunset on December 31, 2002.

The Board of Supervisors would continue to be required to adopt the interim appropriation and salary ordinances by June 30th, and to adopt the budget by the last working day of July of each year.

Comments:

1. This past year, the Mayor was responsible for transmitting a preliminary budget for FY 2002-03 to the Board of Supervisors by the first working day of April. In previous years, the Mayor's Office did not submit a preliminary budget to the Board of Supervisors. The Budget Committee of the Board of Supervisors then held 11 public hearings during April and May to consider the preliminary budget, and conducted 12 Town Hall meetings in the Supervisors Districts prior to the submittal of the Mayor's proposed budget on June 1st. As noted above, under the proposed ordinance, a preliminary budget for the upcoming year would need to be transmitted by the Mayor to the Board of Supervisors by the first working day of March, or one month earlier than this past year. The final budget would then need to be transmitted by the first working day of May, instead of the first

working day of June, as has been previously required.

2. The Sponsor's Office of the proposed legislation advises that it is essential that the Board of Supervisors start their review of the Mayor's balanced budget earlier so that the public, the Board of Supervisors and the Board's supporting departments, including the Budget Analyst's Office and the Legislative Analyst's Office, have more time to review the budget and provide policy analyses.

3. Ms. Katie Petrucione of the Mayor's Office notes that the preliminary budget estimates for FY 2003-2004, as reported on August 13, 2002 by the Mayor's Budget Director, the Controller and the Budget Analyst, projected a budget shortfall of $149 million. Therefore, Ms. Petrucion advises that one of the primary concerns of the Mayor's Office is it would be difficult, especially in tight financial years as the FY 2003-04 budget is anticipated to be, for the Mayor's Office to reduce the amount of time available to balance the City's annual budget because there would be (1) less time for actual expenditure and revenue data on which to base projections, (2) less reliable revenue estimates may result in more conservative projections, and greater expenditure reductions and/or fee increases than might be necessary, (3) greater likelihood of technical adjustments and other changes to the City's final budget, and (4) Memorandum of Understandings for employee compensation would not yet have been negotiated.

4. The Budget Analyst advises that the proposed ordinance to move up various dates of the annual budget transmittals should not, in and of itself, result in additional costs for the City.

5. The Budget Committee of the Board of Supervisors requested that the Controller's Office evaluate the new FY 2002-03 budget process and develop options and recommendations for the FY 2003-04 budget process. Some of the areas that the

Controller's Office is evaluating include: (1) timing of the budget instructions and department submissions, (2) timeline for Mayor and Board of Supervisors review and approval, (3) policy and priority setting by the Board of Supervisors, (4) opportunities to increase public participation and input, (5) committee structure and meeting schedule of the Board of Supervisors, (6) add back process and budget adjustments, (7) roles of the Controller, Legislative Analyst and Budget Analyst, and (8) other recommendations to increase the efficiency and effectiveness of the budget process. The Controller's Office anticipates that this budget process review report will be completed by October 4, 2002.

6. The Legislative Analyst's Office is currently undertaking a review of the potential advantages and disadvantages of a biennial (two-year) budget cycle for San Francisco, which will include a survey of other jurisdictions, legislative and implementation concerns and recommendations for the Board of Supervisors. According to Mr. Adam Van de Water of the Legislative Analyst's Office, the final report on the biennial budget is also anticipated to be completed by approximately October 4, 2002.

7. The Rules and Audits Committee therefore, may wish to continue the proposed ordinance pending the receipt of (1) the budget process review report that will be transmitted to the Board of Supervisors by the Controller's Office and (2) the biennial budget report that will be transmitted to the Board of Supervisors by the Legislative Analyst's Office. Such reports are anticipated to be completed as of October 4, 2002.

Recommendation: The Committee may wish to continue the proposed ordinance, as discussed in Comment No. 7.

Harvey M. Rose

cc: Supervisor Hall
Supervisor Gonzalez
Supervisor Sandoval
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey

City Hall
1 Dr. Carlton B

City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Ge.

Clerk: Deborah Muccino

[All Committees]
Government Document Section
Main Library

Thursday, October 03, 2002 **12:00 PM** **Legislative Chambers, Second Floor**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

Meeting Convened

The meeting convened at 12:18 p.m.

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REGULAR AGENDA

021618 [Appointment, Planning Commission]
Mayor
Motion approving the Mayor's nomination of Michael Antonini to Seat No. 4 of the Planning Commission, term to be determined by lot. (Mayor)

Michael Antonini, new position, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.
9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Michael Antonini; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygran; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint, John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin.Carlson, Mayor's Office.

Referred without recommendation as a committee report.
REFERRED WITHOUT RECOMMENDATION by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021619 **[Appointment, Planning Commission]**

Mayor

Motion rejecting the Mayor's nomination of Michael Antonini to Seat No. 4 of the Planning Commission. (Mayor)

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Michael Antonini; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021620 **[Appointment, Planning Commission]**

Mayor

Motion approving the Mayor's nomination of Shelley Bradford Bell to Seat No. 5 of the Planning Commission, term to be determined by lot. (Mayor)

Shelley Bradford Bell, new position, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Shelly Bradford Bell; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021621 **[Appointment, Planning Commission]**

Mayor

Motion rejecting the Mayor's nomination of Shelley Bradford Bell to Seat No. 5 of the Planning Commission. (Mayor)

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Shelly Bradford Bell; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021622 **[Appointment, Planning Commission]**

Mayor

Motion approving the Mayor's nomination of Edgar Boyd to Seat No. 6 of the Planning Commission, term to be determined by lot. (Mayor)

Edgar Boyd, new position, Seat No. 6, must be nominated by the Mayor, term to be determined by lot.

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Edgar Boyd; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021623 [Appointment, Planning Commission]

Mayor

Motion rejecting the Mayor's nomination of Edgar Boyd to Seat No. 6 of the Planning Commission. (Mayor)

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Edgar Boyd; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021624 [Appointment, Planning Commission]

Mayor

Motion approving the Mayor's nomination of Jeffrey Chen to Seat No. 7 of the Planning Commission, term to be determined by lot. (Mayor)

Jeffrey Chen, new position, Seat No. 7, must be nominated by the Mayor, term to be determined by lot.

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Jeffrey Chen; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021625 **[Appointment, Planning Commission]**

Mayor

Motion rejecting the Mayor's nomination of Jeffrey Chen to Seat No. 7 of the Planning Commission. (Mayor)

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Jeffrey Chen; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021626 **[Appointment, Board of Appeals]**

Mayor

Motion approving the Mayor's nomination of Arnold Chin to Seat No. 3 of the Board of Appeals, term to be determined by lot. (Mayor)

Arnold Chin, new position, Seat No. 3, must be nominated by the Mayor, term to be determined by lot.

9/23/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Arnold Chin; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021627 **[Appointment, Board of Appeals]**

Mayor

Motion rejecting the Mayor's nomination of Arnold Chin to Seat No. 3 of the Board of Appeals. (Mayor)

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Arnold Chin; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021628 **[Appointment, Board of Appeals]**

Mayor

Motion approving the Mayor's nomination of Kathleen Harrington to Seat No. 4 of the Board of Appeals, term to be determined by lot. (Mayor)

Kathleen Harrington, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Kathleen Harrington; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021632 **[Appointment, Board of Appeals]**

Mayor

Motion rejecting the Mayor's nomination of Kathleen Harrington to Seat No. 4 of the Board of Appeals. (Mayor)

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Kathleen Harrington; Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021633 **[Appointment, Board of Appeals]**

Mayor

Motion approving the Mayor's nomination of Sabrina Saunders to Seat No. 5 of the Board of Appeals, term to be determined by lot. (Mayor)

Sabrina Saunders, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021634 **[Appointment, Board of Appeals]**

Mayor

Motion rejecting the Mayor's nomination of Sabrina Saunders to Seat No. 5 of the Board of Appeals. (Mayor)

9/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Anthony Imperial; Tom McDunnon; Sara Myers; Christopher Moscone; Arene Coleman; Bobby Cist; Marc Salamon; Daniela Acusenbal; J.P. Harvard; Bud Wilson; Mr. Leung; Andrew Lee; Raymon Wong; Frederick Hobson; Elizabeth Noten; Eric Castalla; Wai Lin; female; Walter Chen; Chris Bowman; Mark Gruberg; Shawn Keygram; Richie Hart; Amos McCarthey; John McArthur; Grace Kiley; John O'Donahue; Cathleen Brogan; Ms. Graffis, United Taxicab Workers; Cara Hosman; Mr. Grande; Christine Ologee; John Barry; Julie Noburn; Quin Lee; Sue Hestor; Steven Aiello; Patria Baubaby; Denise LaPoint; John Bardis; John Davis; David Barlow; Ted Lakey, Deputy City Attorney; Karin Carlson, Mayor's Office.

Referred without recommendation as a committee report.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

ADJOURNMENT

The meeting adjourned at 4:13 p.m.

[All Committees]
Government Document Section
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City and County of San Francis

Meeting Agenda

Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo S...

Clerk: Victor Young

Thursday, October 17, 2002 **9:00 AM** **Legislative Chambers, Second Floor**

Rescheduled Meeting

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Rules and Audits Committee on Tuesday, October 15, at 1:00 p.m. HAS BEEN RESCHEDULED TO Thursday, October 17, 2002, at 9:00 a.m. and will be held in the Legislative Chambers, Second Floor.

Note: Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

DOCUMENTS DEPT.

OCT 11 2002

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1. 021720 **[Appointment]**

Resolution appointing Supervisors Chris Daly, Jake McGoldrick, and Gerardo Sandoval, term ending June 30, 2004, to the Association of Bay Area Governments Executive Board.

Supervisor Chris Daly, succeeding himself, term expired, Seat No. 1, must be a member of the Board of Supervisor, for a new two-year term ending June 30, 2004;

Supervisor Jake McGoldrick, succeeding himself, term expired, Seat No. 2, must be a member of the Board of Supervisor, for a new two-year term ending June 30, 2004;

Supervisor Gerardo Sandoval, vacant seat, term expired, Seat No. 5, must be a member of the Board of Supervisor (Position alternates between the Board of Supervisors and the Mayor), for a new two-year term ending June 30, 2004.

10/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

2. 021721 **[Appointment]**

Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2003, to the California State Association of Counties Board of Directors.

Supervisor Jake McGoldrick, succeeding Supervisor Leland Yee, term expired, Seat No. 1, must be a member of the Board of Supervisor, for a new tone-year term ending November 28, 2003.

10/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

3. 021722 **[Appointment]**

Resolution appointing Supervisor Gerardo Sandoval, term ending November 28, 2003, as an alternate member to the California State Association of Counties Board of Directors.

Supervisor Gerardo Sandoval, succeeding Supervisor Jake McGoldrick, term expired, Seat No. 2, must be a member of the Board of Supervisor (alternate position), for a new one-year term ending November 28, 2003.

10/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

REGULAR AGENDA

4. **021398** **[Appointment]**

Hearing to consider appointing two members to the Immigrant Rights Commission.

2 Seats Being Considered:
Vacant Seat, succeeding Neyde Azevedo, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004.
Vacant Seat, succeeding Marcos Eusebio Gutierrez, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004.

8/6/02, CONTINUED. Divided from file 020833. Continued to the meeting on August 20th.
8/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
8/20/02, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Dang Pham, Executive Director, Immigrants Rights Commission; Julie Wang, Rane (Lorene) Nguyen Thi Ngoc Johnson; Mohammed Herzallah.
10/1/02. CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Dang Pham, Immigrant Rights Commission; Richard Ow; Saif Ataya; Larisa Casillas; Mohammad Herzallah.

2 Seats / 5 Applicants
Richard Ow, Saif Ataya, Larisa Casillas, Mohammad Herzallah, and Ashirvadam Rayikanti, seats 2 and 5.

5. **020629** **[Appointment]**

Hearing to consider appointing six members to the Drug Abuse Advisory Board.

6 Seats Being Considered:
Vacant seat, succeeding Elizabeth Aguilar-Tarchi, resigned, seat 1, must represent law enforcement, for the unexpired portion of a three year term ending October 1, 2003;
Vacant seat, succeeding Dina Santana, term expired, seat 2, must represent law enforcement, for a new three year term ending October 1, 2005;
Vacant seat, succeeding Richard Gee, seat 4, term expired, must represent the public at large, for a new three year term ending October 1, 2005;
Vacant seat, succeeding Yvonne Littleton, seat 5, term expired, must represent the public at large or service provider, for a new three year term ending October 1, 2005;
Vacant seat, succeeding Kevin Sharps, seat 6, term expired, must represent the public at large or service provider, for a new three year term ending October 1, 2005;
Vacant seat, succeeding Victoria Hunt, term expired, seat 7, must represent the public at large or a service provider, for a new three year term ending October 1, 2005.

4/16/02, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 020336.
4/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
7/26/02, CLERICAL CORRECTION. Added seat 1, succeeding Elizabeth Aguilar-Tarchi, resigned.
9/26/02, CLERICAL CORRECTION. Added seats 2, 4, 5, and 6 due to expiration of terms.
10/1/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Paul Kangas.

6 Seats / 9 Applicants
Dina Santana, seat 2.
Richard Gee, seat 4.
Yvonne Littleton (residency waiver required), seat 5.
Kevin Sharps, seat 6.
Phillip Bauer, Paul Kangas, Adelia Stout, James Boeger, and Eric Carmichael, seat numbers not indicated.

6. 021629 [Appointment]

Hearing to consider appointing two members to the San Francisco Museum and Historical Society Advisory Committee.

2 Seats Being Considered:
Vacant seat, new position, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities with San Francisco, for a one-year term ending date to be determined pursuant to Ordinance No. 92-02;
Vacant seat, new position, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities with San Francisco, for a one-year term ending date to be determined pursuant to Ordinance No. 92-02.

9/23/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

2 Seats / 2 Applicants
Susan Stryker and Melissa Szeto, seats 1 and 2.

7. 020431 [Implementation of Prop A]

Supervisor Gonzalez

Hearing on the implementation of the voter approved Proposition A, a charter amendment instituting Instant Run-off Voting for San Francisco Municipal Elections.

3/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
4/3/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Steven Hill; Tammy Haygood, Director, Department of Elections; Tom Schulz, Election Commission; Elaine Nueze; Charles Caliss; Connie Ford, Local 3; Betty Trainer; Barry Hermanson; Dave Kabelceck; Robert Newal; David Heller; Paul Plaid; Bradley Wiedmaier.

8. 020913 [Appointment Process for the Child Care Planning and Advisory Council]

Supervisor Maxwell

Ordinance amending Article XX of Chapter 5 of Part One of the San Francisco Municipal Code (Administrative Code) to amend Section 5.200 to provide that half the membership is appointed by the Board of Supervisors and half the membership is appointed by the Board of Education, or County Superintendent of Schools, if the Board of Education delegates the appointment power to her or him and to establish the Council in the Department of Children, Youth and Their Families; and adding section _____ to Article XII of Chapter 10 of Part One of the San Francisco Municipal Code (Administrative Code) establishing the Child Care Planning and Advisory Council Account.

5/28/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/27/2002.

LITIGATION

Conference with City Attorney

[Convene in Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlement listed below.

9. 021679 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Robin Dubner against the City and County of San Francisco for $205,000; the lawsuit was filed on 12/31/97 in the U.S. District Court, Case No. 98-1075; entitled Robin Dubner v. City and County of San Francisco, et al. (City Attorney)

10/4/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

After a closed session, if one occurs, the Committee shall adopt a motion either to disclose or not to disclose.

[Elect To Disclose]
Motion that the Committee finds it is in the public interest to disclose information discussed in closed session, and directs the Chair immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules and Audits Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

021644 **[Amend Administrative Code Section 10.20-1 - City Claims Procedures]**
Supervisor Hall

Ordinance amending the San Francisco Administrative Code by amending Section 10.20-1 to require that all claims for damages against the City, including those categories listed in Government Code Section 905, follow the procedures set forth in the Administrative Code unless specifically excepted by other laws.

9/30/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 10/30/2002.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. Providing 48 hours' notice will help ensure availability.

For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Ohn Myint at (415) 554-7704. The Clerk of the Board's Office TTY number is (415) 554-5227.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706. In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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[All Committees]
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City and County of San Francisco
Meeting Minutes
Rules and Audits Committe

Members: Supervisors Tony Hall, Matt Gonzalez and C

Clerk: Victor Young

Tuesday, October 22, 2002 | **9:30 AM** | **City Hall, Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez.

Members Absent: Gerardo Sandoval.

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Meeting Convened

The meeting convened at 10:13 a.m.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

021720 [Appointment]

Resolution appointing Supervisors Chris Daly, Jake McGoldrick, and Gerardo Sandoval, terms ending June 30, 2004, to the Association of Bay Area Governments Executive Board.

Supervisor Chris Daly, succeeding himself, term expired, Seat No. 1, must be a member of the Board of Supervisor, for a new two-year term ending June 30, 2004;
Supervisor Jake McGoldrick, succeeding himself, term expired, Seat No. 2, must be a member of the Board of Supervisor, for a new two-year term ending June 30, 2004;
Supervisor Gerardo Sandoval, vacant seat, term expired, Seat No. 5, must be a member of the Board of Supervisor (Position alternates between the Board of Supervisors and the Mayor), for a new two-year term ending June 30, 2004.

10/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED

021721 [Appointment]

Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2003, to the California State Association of Counties Board of Directors.

Supervisor Jake McGoldrick, succeeding Supervisor Leland Yee, term expired, Seat No. 1, must be a member of the Board of Supervisor, for a new one-year term ending November 28, 2003.

10/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED

021722 [Appointment]

Resolution appointing Supervisor Gerardo Sandoval, term ending November 28, 2003, as an alternate member to the California State Association of Counties Board of Directors.

Supervisor Gerardo Sandoval, succeeding Supervisor Jake McGoldrick, term expired, Seat No. 2, must be a member of the Board of Supervisor (alternate position), for a new one-year term ending November 28, 2003.

10/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

RECOMMENDED

The foregoing items were acted upon by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

REGULAR AGENDA

021398 [Appointment]

Hearing to consider appointing two members to the Immigrant Rights Commission.

2 Seats Being Considered:
Vacant Seat, succeeding Neyde Azevedo, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004.
Vacant Seat, succeeding Marcos Eusebio Gutierrez, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004.

8/6/02, CONTINUED. Divided from file 020833. Continued to the meeting on August 20th.

8/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

8/20/02, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Dang Pham, Executive Director, Immigrants Rights Commission; Julie Wang; Rane (Lorene) Nguyen Thi Ngoc Johnson; Mohammed Herzallah.

10/1/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Dang Pham, Immigrant Rights Commission; Richard Ow; Saif Ataya; Larisa Casillas; Mohammad Herzallah.

Heard in Committee. Speakers: Saif Ataya; Mohammad Herzallah; Ashirvadam Rayikanti.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Saif Ataya and Larisa Casillas, terms ending June 6, 2004, to the Immigrant Rights Commission.

Saif Ataya, succeeding Neyde Azevedo, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;

Larisa Casillas, succeeding Marcos Eusebio Gutierrez, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004.

Appointment of Saif Ataya, seat 2, and Larisa Casillas, seat 5, recommended.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020629 [Appointment]

Hearing to consider appointing six members to the Drug Abuse Advisory Board.

6 Seats Being Considered:

Vacant seat, succeeding Elizabeth Aguilar-Tarchi, resigned, seat 1, must represent law enforcement, for the unexpired portion of a three year term ending October 1, 2003;

Vacant seat, succeeding Dina Santana, term expired, seat 2, must represent law enforcement, for a new three year term ending October 1, 2005;

Vacant seat, succeeding Richard Gee, seat 4, term expired, must represent the public at large, for a new three year term ending October 1, 2005;

Vacant seat, succeeding Yvonne Littleton, seat 5, term expired, must represent the public at large or service provider, for a new three year term ending October 1, 2005;

Vacant seat, succeeding Kevin Sharps, seat 6, term expired, must represent the public at large or service provider, for a new three year term ending October 1, 2005;

Vacant seat, succeeding Victoria Hunt, term expired, seat 7, must represent the public at large or a service provider, for a new three year term ending October 1, 2005.

4/16/02, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 020336.

4/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

7/26/02, CLERICAL CORRECTION. Added seat 1, succeeding Elizabeth Aguilar-Tarchi, resigned.

9/26/02, CLERICAL CORRECTION. Added seats 2, 4, 5, and 6 due to expiration of terms.

10/1/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Paul Kangas.

Heard in Committee. Speakers: Kevin Sharps; Paul Kangas; Eric Carmichael; Ted Lakey, Deputy City Attorney.

Seats 1, 2, 4, and 5 divided and continued to the call of the chair. See File No. 021806.

DIVIDED.

Hearing to consider appointing two members to the Drug Abuse Advisory Board.

2 Seats Being Considered:

Vacant seat, succeeding Kevin Sharps, seat 6, term expired, must represent the public at large or service provider, for a new three year term ending October 1, 2005;

Vacant seat, succeeding Victoria Hunt, term expired, seat 7, must represent the public at large or a service provider, for a new three year term ending October 1, 2005.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Kevin Sharps and Paul Kangas, terms ending October 1, 2005, to the Drug Abuse Advisory Board.

Kevin Sharps, succeeding himself, seat 6, term expired, must represent the public at large or service provider, for a new three year term ending October 1, 2005;

Paul Kangas, succeeding Victoria Hunt, term expired, seat 7, must represent the public at large or a service provider, for a new three year term ending October 1, 2005.

Appointment of Kevin Sharp, seat 6, and Paul Kangas, seat 7, recommended.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez

Absent: 1 - Sandoval

021806 [Appointment]
Hearing to consider appointing four members to the Drug Abuse Advisory Board.

4 Seats Being Considered:
Vacant seat, succeeding Elizabeth Aguilar-Tarchi, resigned, seat 1, must represent law enforcement, for the unexpired portion of a three year term ending October 1, 2003;
Vacant seat, succeeding Dina Santana, term expired, seat 2, must represent law enforcement, for a new three year term ending October 1, 2005;
Vacant seat, succeeding Richard Gee, seat 4, term expired, must represent the public at large, for a new three year term ending October 1, 2005;
Vacant seat, succeeding Yvonne Littleton, seat 5, term expired, must represent the public at large or service provider, for a new three year term ending October 1, 2005.

Divided from File No. 020629.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021629 [Appointment]
Hearing to consider appointing two members to the San Francisco Museum and Historical Society Advisory Committee.

2 Seats Being Considered:
Vacant seat, new position, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities with San Francisco, for a one-year term ending date to be determined pursuant to Ordinance No. 92-02;
Vacant seat, new position, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities with San Francisco, for a one-year term ending date to be determined pursuant to Ordinance No. 92-02.
9/23/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Wade Crowfoot, Aide to Supervisor Peskin; Susan Stryker; Melissa Szeto; female speaker.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Susan Stryker and Melissa Szeto, terms to be determined, to the San Francisco Museum and Historical Society Advisory Committee.

Susan Stryker, new position, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities with San Francisco, for a one-year term ending date to be determined pursuant to Ordinance No. 92-02;
Melissa Szeto, new position, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities with San Francisco, for a one-year term ending date to be determined pursuant to Ordinance No. 92-02.

Appointment of Susan Stryker, seat 1, and Melissa Szeto, seat 2, recommended.

RECOMMENDED.. by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020431 [Implementation of Prop A]

Supervisor Gonzalez

Hearing on the implementation of the voter approved Proposition A, a charter amendment instituting Instant Run-off Voting for San Francisco Municipal Elections.

3/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

4/3/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Steven Hill; Tammy Haygood, Director, Department of Elections; Tom Schulz, Election Commission; Elaine Nueze; Charles Caliss; Connie Ford, Local 3; Betty Trainer; Barry Hermanson; Dave Kabelceck; Robert Newal; David Heller; Paul Plaid; Bradley Wiedmaier.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

020913 [Appointment Process for the Child Care Planning and Advisory Council]

Supervisor Maxwell

Ordinance amending Article XX of Chapter 5 of Part One of the San Francisco Municipal Code (Administrative Code) to amend Section 5.200 to provide that half the membership is appointed by the Board of Supervisors and half the membership is appointed by the Board of Education, or County Superintendent of Schools, if the Board of Education delegates the appointment power to her or him and to establish the Council in the Department of Children, Youth and Their Families; and adding section _____ to Article XII of Chapter 10 of Part One of the San Francisco Municipal Code (Administrative Code) establishing the Child Care Planning and Advisory Council Account.

5/28/02. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/27/2002.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

LITIGATION

Conference with City Attorney

[Convene in Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlement listed below.

021679 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Robin Dubner against the City and County of San Francisco for $205,000; the lawsuit was filed on 12/31/97 in the U.S. District Court, Case No. 98-1075; entitled Robin Dubner v. City and County of San Francisco, et al. (City Attorney)

10/4/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

[Elect Not to Disclose]
Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

The meeting adjourned at 12:14 p.m.

City and County of San Francisco

Meeting Agenda

Rules and Audits Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Victor Young

Tuesday, October 29, 2002 **2:00 PM** **City Hall, Room 263**

Special Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

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AGENDA CHANGES

REGULAR AGENDA

1. 021788 [Appointment, Planning Commission]
Mayor
Motion approving the Mayor's nomination of William L. Lee to Seat No. 7 of the Planning Commission, term to be determined by lot. (Mayor)

10/21/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

2. 021789 [Appointment, Planning Commission]
Mayor
Motion rejecting the Mayor's nomination of William L. Lee to Seat No. 7 of the Planning Commission. (Mayor)

10/21/02. RECEIVED AND ASSIGNED to Rules and Audits Committee

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules and Audits Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

021644 **[Amend Administrative Code Section 10.20-1 - City Claims Procedures]**

Supervisor Hall

Ordinance amending the San Francisco Administrative Code by amending Section 10.20-1 to require that all claims for damages against the City, including those categories listed in Government Code Section 905, follow the procedures set forth in the Administrative Code unless specifically excepted by other laws.

9/30/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 10/30/2002.

021791 **[Preservative-treated Wood Containing Arsenic]**

Supervisors Peskin, Leno

Ordinance amending the San Francisco Administrative Code by adding Chapter 21G, requiring all City Departments and Contractors to purchase preservative-treated wood only from the list of environmentally preferable alternatives adopted by the Department of the Environment; requiring all City Departments that own or maintain play structures, park equipment or other facilities constructed with preservative-treated wood containing arsenic to undertake certain actions; requiring the Department of the Environment to report to the Commission on the Environment on the programs mandated by this Chapter; requiring disposal of preservative-treated wood containing arsenic at approved landfills; and directing the Department of Building Inspection and the Department of the Environment to report on a possible citywide ban on preservative-treated wood containing arsenic.

10/21/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee. expires on 11/20/2002.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. Providing 48 hours' notice will help ensure availability.

For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Ohn Myint at (415) 554-7704. The Clerk of the Board's Office TTY number is (415) 554-5227.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Victor Young

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Wednesday, November 06, 2002 **2:00 PM** **Legislative Chambers, Second Floor**

Rescheduled Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

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Meeting Convened

The meeting convened at 2:08 p.m.

REGULAR AGENDA

021644 [Amend Administrative Code Section 10.20-1 - City Claims Procedures]
Supervisor Hall

Ordinance amending the San Francisco Administrative Code by amending Section 10.20-1 to require that all claims for damages against the City, including those categories listed in Government Code Section 905, follow the procedures set forth in the Administrative Code unless specifically excepted by other laws.

9/30/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 10/30/2002.

Heard in Committee. Speakers: Matthew Rothschild, Deputy City Attorney.

RECOMMENDED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021845 [Appointment]

Hearing to consider appointing two members to the Veterans Affairs Commission.

2 Seats Being Considered:
Vacant seat, succeeding C. J. O'Mara, term expired, seat 5, must be a woman veteran, for a new four-year term ending January 31, 2006;
Vacant seat, succeeding Edwin Wilkerson, term expired, seat 10, must be an at-large appointment, for a new four-year term ending January 31, 2006.

10/28/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Edwin Wilerson; Dietrick Falenthal.

Seat 5 divided and continued to the call of the chair. See File No. 021889.

DIVIDED.

Hearing to consider appointing one member to the Veterans Affairs Commission.

1 Seats Being Considered:
Vacant seat, succeeding Edwin Wilkerson, term expired, seat 10, must be an at-large appointment, for a new four-year term ending Juanuary 31, 2006.

Appointment of Dietrick Falkenthal, seat 10, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Dietrick Falkenthal, term ending January 31, 2006, to the Veterans Affairs Commission.

Dietrick Falkenthal, succeeding Edwin Wilkerson, term expired, seat 10, must be an at-large appointment, for a new four-year term ending January 31, 2006.

RECOMMENDED by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021889 [Appointment]

Hearing to consider appointing one member to the Veterans Affairs Commission.

1 Seats Being Considered:
Vacant seat, succeeding C. J. O'Mara, term expired, seat 5, must be a woman veteran, for a new four-year term ending January 31, 2006.

Divided from File No. 021845.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

020672 [Appointment]

Hearing to consider appointing three members to the Citizen's General Obligation Bond Oversight Committee.

3 Seats Being Considered.
Vacant Seat, new position, seat 1, must be active in a business organization representing the business community located within the City, for a new two-year term to be determined;
Vacant Seat, new position, seat 2, must be active in labor organizations, for a new two-year term to be determined;
Vacant Seat, new position, seat 3, must be active in community organization, for a new two-year term to be determined.

4/23/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Rich Arney; Deidre Von Rock; John Hentz; William Wong; Hilda Bernstein; Howard Epstein; Keri McCulla; Drew Felan; male speaker; Ted Lakey, Deputy City Attorney.

Appointment of Deidre Von Rock, seat 1, William Wong, seat 2, and John Hentz, seat 3, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Deidre Von Rock, William Wong, and John Hentz, terms to be determined, to the Citizen's General Obligation Bond Oversight Committee, residency requirement waived.

Deidre Von Rock, new position, seat 1, must be active in a business organization representing the business community located within the City, for a new two-year term to be determined;
William Wong (residency requirement waived), new position, seat 2, must be active in labor organizations, for a new two-year term to be determined;
John Hentz, new position, seat 3, must be active in community organization, for a new two-year term to be determined.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021084 [Appointment]
Hearing to consider appointing 14 members to the Graffiti Advisory Board.

14 Seats Being Considered:
Vacant seat, new position, seat 1, must be a member of the Board of Supervisors, for an indefinite term;
Vacant seat, new position, seat 2, must represent the Youth Court, for an indefinite term;
Vacant seat, new position, seat 3, must represent Youth Groups who provide services for juveniles involved in alternative programs for graffiti diversion, for an indefinite term;
Vacant seat, new position, seat 4, must represent a nonprofit organization who provides services related to the City's beautification and neighborhood cleanup programs, for an indefinite term;
Vacant seat, new position, seat 5, must represent a nonprofit organization who provides services related to the City's beautification and neighborhood cleanup programs; for an indefinite term;
Vacant seat, new position, seat 6, must represent small business in San Francisco, for an indefinite term;
Vacant seat, new position, seat 7, must represent large business in San Francisco, for an indefinite term;
Vacant seat, new position, seat 8, must represent private schools in San Francisco, for an indefinite term;
Vacant seat, new position, seat 9, must represent the contracting agency for Municipal Railway Shelters, for an indefinite term;
Vacant seat, new position, seat 10, must be an at-large member with knowledge in graffiti issues, for an indefinite term;
Vacant seat, new position, seat 11, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term;
Vacant seat, new position, seat 12, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term;
Vacant seat, new position, seat 13, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term;
Vacant seat, new position, seat 14, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term.
9/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Julia Viera; Joseph Porcoro; John Omernik; Stephen Shinn; Deborah Mansfield; Nino Parker; Mark Anthony Bruno.

Seats 1, 2, 3, 6, 7, and 14, divided and continued to the call of the chair. See File No. 021890.
DIVIDED.

Hearing to consider appointing 8 members to the Graffiti Advisory Board.

8 Seats Being Considered:
Vacant seat, new position, seat 4, must represent a nonprofit organization who provides services related to the City's beautification and neighborhood cleanup programs, for an indefinite term;
Vacant seat, new position, seat 5, must represent a nonprofit organization who provides services related to the City's beautification and neighborhood cleanup programs; for an indefinite term;
Vacant seat, new position, seat 8, must represent private schools in San Francisco, for an indefinite term;
Vacant seat, new position, seat 9, must represent the contracting agency for Municipal Railway Shelters, for an indefinite term;
Vacant seat, new position, seat 10, must be an at-large member with knowledge in graffiti issues, for an indefinite term;
Vacant seat, new position, seat 11, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term;
Vacant seat, new position, seat 12, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term;
Vacant seat, new position, seat 13, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Julia Viera, Joseph Porcoro, John Omernik, Stephen Shinn, Machaela Hoctor, Deborah Mansfield, Nino Parker, and Marc Anthony Bruno, indefinite terms, to the Graffiti Advisory Board, residency requirement waived.

Julia Viera, new position, seat 4, must represent a nonprofit organization who provides services related to the City's beautification and neighborhood cleanup programs, for an indefinite term;
Joseph Porcoro, new position, seat 5, must represent a nonprofit organization who provides services related to the City's beautification and neighborhood cleanup programs; for an indefinite term;
John Omernik, new position, seat 8, must represent private schools in San Francisco, for an indefinite term;
Stephen Shinn (residency requirement waived), new position, seat 9, must represent the contracting agency for Municipal Railway Shelters, for an indefinite term;
Machaela Hoctor (residency requirement waived), new position, seat 10, must be an at-large member with knowledge in graffiti issues, for an indefinite term;
Deborah Mansfield, new position, seat 11, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term;
Nino Parker, new position, seat 12, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term;
Marc Anthony Bruno, new position, seat 13, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term.

Appointment of Julia Viera, seat 4, Joseph Porcoro, seat 5, John Omernik, seat 8, Stephen Shinn, seat 9, Machaela Hoctor, seat 10, Deborah Mansfield, seat 11, Nino Parker, seat 12, and Marc Anthony Bruno, seat 13, recommended.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021890 [Appointment]

Hearing to consider appointing 6 members to the Graffiti Advisory Board.

6 Seats Being Considered:
Vacant seat, new position, seat 1, must be a member of the Board of Supervisors, for an indefinite term;
Vacant seat, new position, seat 2, must represent the Youth Court, for an indefinite term;
Vacant seat, new position, seat 3, must represent Youth Groups who provide services for juveniles involved in alternative programs for graffiti diversion, for an indefinite term;
Vacant seat, new position, seat 6, must represent small business in San Francisco, for an indefinite term;
Vacant seat, new position, seat 7, must represent large business in San Francisco, for an indefinite term;
Vacant seat, new position, seat 14, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term.

Divided from File No. 021890.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021613 [S. F. Children and Families Commission]

Supervisor Gonzalez

Hearing regarding the San Francisco Children and Families Commission including, but not limited to, the requirements imposed by the state law on this commission, the composition of the commission, and the scope of work of the commission's activities.

9/23/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Mori Kenney, Interim Executive Director, Children and Families Commission; Cheryl Polk.

FILED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020913 [Amending the Appointment Process for the Child Care Planning and Advisory Council and Establishing Child Care Planning Advisory Council Account]

Supervisor Maxwell

Ordinance amending Article XX of Chapter 5 of Part One of the San Francisco Municipal Code (Administrative Code) to (1) amend Section 5.200 to provide that half the membership is appointed by the Board of Supervisors and half the membership is appointed by the Board of Education, or County Superintendent of Schools, if the Board of Education delegates the appointment power to her or him; (2) amend compensation provisions for Council members to provide for compensation if a member is not otherwise compensated for attending committee meetings; and (3) add Section 10.100-367 to Article XII of Chapter 10 of Part One of the San Francisco Municipal Code (Administrative Code) establishing the Child Care Planning and Advisory Council Account.

5/28/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/27/2002
10/22/02, CONTINUED TO CALL OF THE CHAIR.
10/28/02, SUBSTITUTED Supervisor Maxwell submitted a substitute ordinance bearing new title
10/28/02, ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers. Melinda Felice; Ted Lakey, Deputy City Attorney; male speaker, female speaker; Ms. Brodkin.

11/6/02 Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending the San Francisco Administrative Code by amending section 5.200 to: (1) provide that the Board of Supervisors appoints 15 members of the Child Care Planning and Advisory Council ("Council") and that the Board of Education, or County Superintendent of Schools, if the Board of Education delegates the appointment power to her or him, appoints 15 members of the Council and to; (2) amend compensation provisions for Council members to provide for compensation for all members who are not otherwise compensated for attending committee meetings; and amending the San Francisco Administrative Code by adding section 10.100-367 to establish the Child Care Planning and Advisory Council.

Continued to November 19, 2002.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

LITIGATION

020890 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuits filed by Harsch Investment Corp. against the City and County of San Francisco for Harsch's payment of $1,464,000.00 to four affordable housing projects; the lawsuits were filed on July 19, 1994 in San Francisco Superior Court, Case No. 962-445; on November 12, 1996 in San Francisco Superior Court, Case No. 982-474; and on February 23, 1994 in United States District Court, Northern District of California, Case No. C-94-0629-DLJ; all entitled Harsch Investment Corp., v. City and County of San Francisco, et al. (City Attorney)

(No Public Benefit Recipient.)

Supervisor Sandoval dissenting in committee.

9/12/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Speakers: Ted Lakey, Deputy City Attorney; Andrew Schwartz, Deputy City Attorney; Joe LaTorre, Mayor's Office of Housing.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Noes: 1 - Sandoval

021714 [Settlement of Claim - Nancy Cowhig]

Resolution approving the settlement of the unlitigated claim filed by Nancy Cowhig against San Francisco for $60,000; claim was filed on December 12, 2001. (City Attorney)

(Public Benefit Recipient.)

10/9/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Speaker: Ted Lakey, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

The meeting adjourned at 6:15 p.m.

City Hall
[All Committees]
Government Document Section
Main Library

City and County of San Francisco

Meeting Agenda

Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerar

Clerk: Victor Young

Tuesday, November 19, 2002 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

REGULAR AGENDA

1. 021895 **[Canceling 1/6/03 Board of Supervisors Meeting]**
Resolution canceling the Monday, January 6, 2003, meeting of the Board of Supervisors.

11/12/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

DOCUMENTS DEPT.
NOV 15 2002
SAN FRANCISCO
PUBLIC LIBRARY

2. 020913 **[Amending the Appointment Process for the Child Care Planning and Advisory Council and Establishing Child Care Planning Advisory Council Account]**

Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by amending section 5.200 to: (1) provide that the Board of Supervisors appoints 15 members of the Child Care Planning and Advisory Council ("Council") and that the Board of Education, or County Superintendent of Schools, if the Board of Education delegates the appointment power to her or him, appoints 15 members of the Council and to; (2) amend compensation provisions for Council members to provide for compensation for all members who are not otherwise compensated for attending committee meetings; and amending the San Francisco Administrative Code by adding section 10.100-367 to establish the Child Care Planning and Advisory Council.

5/28/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee. expires on 6/27/2002.

10/22/02, CONTINUED TO CALL OF THE CHAIR.

10/28/02, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

10/28/02, ASSIGNED to Rules and Audits Committee.

11/6/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Melinda Felice; Ted Lakey, Deputy City Attorney; male speaker; female speaker; Ms. Brodkin.

11/6/02 Amendment of the whole bearing a new title.

11/6/02, CONTINUED AS AMENDED. Continued to November 19, 2002.

3. **021723** [Appointment]

Hearing to consider appointing ten members to the Citizens Advisory Committee for Natural Areas Program (NAPCAC).

10 Seats Being Considered

Vacant seat, new position, seat 1, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 2, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 3, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 4, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 5, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 6, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 7, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 8, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 9, must be appointed at large. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 10, must be appointed at large. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

10/8/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

10 Seats / 35 Applicants
Pinky Drosten Kushner and Johanna Gendelman, seats 1, 2, 3, and 4.
Carol Arnold and James Houillion, seats 1, 2, 3, 4, 9, and 10.
William Wilson, Karin Hu, Ellena Isabel Clee, Mary McAllister, Denise Scrivner, John Plummer (residency waiver required), and Arnold Thompson, seat 5, 6, 7, and 8.
Carolyn Blair, Patrick Skain, Paul Castleman, John Hentz, Stephan Doliov, and William Shepard, seats 5, 6, 7, 8, 9, and 10.
Chin Chi, seat 9 and 10.
Arthur Feinstein, Joan Roughgarden, Michael Mooney, Laura Louttit, Jacob Sigg, Jack Laws, Roland Pitschel, and Norine Yee, seats 1 thru 10.
Winchell Hayward, Charlotte Hill, Clayton Mansfield, Roy Leggitt, Matthew Sniffen, Kimberly Merin, Stan Kaufman, Don Colbrun, and Dylan Hayes, seat numbers not indicated.

4. 020431 **[Implementation of Prop A]**

Supervisor Gonzalez

Hearing on the implementation of the voter approved Proposition A, a charter amendment instituting Instant Run-off Voting for San Francisco Municipal Elections.

3/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
4/3/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Steven Hill; Tammy Haygood, Director, Department of Elections; Tom Schulz, Election Commission; Elaine Nueze; Charles Caliss; Connie Ford. Local 3; Betty Trainer; Barry Hermanson; Dave Kabelceck; Robert Newal; David Heller; Paul Plaid; Bradley Wiedmaier.
10/22/02, CONTINUED TO CALL OF THE CHAIR.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules and Audits Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

021791 [Preservative-treated Wood Containing Arsenic]

Supervisors Peskin, Leno

Ordinance amending the San Francisco Administrative Code by adding Chapter 21G, requiring all City Departments and Contractors to purchase preservative-treated wood only from the list of environmentally preferable alternatives adopted by the Department of the Environment; requiring all City Departments that own or maintain play structures, park equipment or other facilities constructed with preservative-treated wood containing arsenic to undertake certain actions; requiring the Department of the Environment to report to the Commission on the Environment on the programs mandated by this Chapter; requiring disposal of preservative-treated wood containing arsenic at approved landfills; and directing the Department of Building Inspection and the Department of the Environment to report on a possible citywide ban on preservative-treated wood containing arsenic.

10/21/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 11/20/2002.

021810 [Recycled Paper]

Supervisors Leno, Maxwell, Ammiano

Ordinance amending Section 21A.7 of the Administrative Code to require the City to purchase paper with 100% post-consumer content for specified uses.

10/28/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 11/27/2002.

021853 [Extending the Existence of the CEDAW Task Force]

Supervisor Maxwell

Ordinance amending San Francisco Administrative Code by amending section 12K.5 to change the expiration date of the Convention to Eliminate all forms of Discrimination Against Women ("CEDAW") Task Force from December 31, 2002 to June 30, 2003.

11/4/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 12/4/2002.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. Providing 48 hours' notice will help ensure availability.

For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Ohn Myint at (415) 554-7704. The Clerk of the Board's Office TTY number is (415) 554-5227.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Victor Young

Tuesday, December 03, 2002 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

Meeting Convened

The meeting convened at 1:11 p.m.

REGULAR AGENDA

021895 **[Canceling January 6, 2003 Board of Supervisors Meeting]**

Resolution canceling the Monday, January 6, 2003, meeting of the Board of Supervisors.

11/12/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021946 **[Appointment]**

Hearing to consider appointing two members to the Adult Day Health Care Planning Council.

2 Seats Being Considered:
Vacant Seat, succeeding Ruth Morales, term expired, seat 8, must represent a person over 55 years of age who has a demonstrated interest in the special health and social needs of the elderly and who is a representation of organizations dedicated primarily to the needs of older persons, including those of low income and racial and ethnic minorities, for the unexpired portion of a 3-year term ending September 30, 2005;
Vacant Seat, succeeding Joan Slaughter, term expired, seat 9, must represent a person over 55 years of age who has a demonstrated interest in the special health and social needs of the elderly and who is a representation of organizations dedicated primarily to the needs of older persons, including those of low income and racial and ethnic minorities, for the unexpired portion of a 3-year term ending September 30, 2005.

11/19/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee. Speakers: Anthony Nicco, Chair, Adult Day Health Care Planning Council, Benson Nadell; Dorothy Kerr.

Appointment of Benson Nadell, seat 8, and Dorothy Kerr, seat 9, recommended

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Benson Nadell and Dorothy Kerr, terms ending on September 30, 2005, to the Adult Day Health Care Planning Council, residency requirement waived.

Benson Nadell (residency requirement waived), succeeding Ruth Morales, term expired, seat 8, must represent a person over 55 years of age who has a demonstrated interest in the special health and social needs of the elderly and who is a representative of organizations dedicated primarily to the needs of older persons, including those of low income and racial and ethnic minorities, for the unexpired portion of a 3-year term ending September 30, 2005;
Dorothy Kerr, succeeding Joan Slaughter, term expired, seat 9, must represent a person over 55 years of age who has a demonstrated interest in the special health and social needs of the elderly and who is a representative of organizations dedicated primarily to the needs of older persons, including those of low income and racial and ethnic minorities, for the unexpired portion of a 3-year term ending September 30, 2005.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021723 **[Appointment]**

Hearing to consider appointing ten members to the Citizens Advisory Committee for Natural Areas Program (NAPCAC).

10 Seats Being Considered

Vacant seat, new position, seat 1, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 2, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 3, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 4, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 5, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 6, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 7, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 8, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 9, must be appointed at large. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Vacant seat, new position, seat 10, must be appointed at large. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

10/8/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee. Speakers: Ellena Isabel Clee; Edward Conner; Johanna Gendelman; Carol Arnold; James Houillion; female speaker, speaking on behalf of Pinky Drosten Kushner; William Wilson; Karin Hu; Mary McAllister; Arnold Thompson; Alvin Ray Taylor; Carolyn Blair; Patrick Skain; Vickie Turnin, speaking on behalf of Paul Castleman; Stephan Doliov; William Shepard; Andrea O'Leary; Chin Chi; Arthur Feinstein; Joan Roughgarden; Michael Mooney; Jacob Sigg; Jack Laws; Roland Pitschel; Steven Chapman; Irma Marx; William Carlin; Michelle Henry-Ellis; Winchell Hayward; Charlotte Hill; Clayton Mansfield; Roy Leggitt; Matthew Sniffen; Stan Kaufman; Don Colbrun; Romona Albright; Irena Dole; Nancy Wuerfel; Donald Bird.

Appointment of Karin Hu, seat 1, Joan Roughgarden, seat 2, Edward Conner, seat 3, Carol Arnold, seat 4, Paul Castleman, seat 5, Charlotte Hill, seat 6, Mary McAllister, seat 7, Jack Laws, seat 8, Matthew Sniffen, seat 9, and Patrick Skain, seat 10, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Karin Hu, Joan Roughgarden, Edward Conner, Carol Arnold, Paul Castleman, Charlotte Hill, Mary McAllister, Jack Laws, Matthew Sniffen, and Patrick Skain, terms ending December 1, 2003 to the Citizens Advisory Committee for Natural Areas Program (NAPCAC).

Karin Hu, new position, seat 1, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.
Joan Roughgarden, new position, seat 2, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.
Edward Conner, new position, seat 3, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.
Carol Arnold, new position, seat 4, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.
Paul Castleman, new position, seat 5, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.
Charlotte Hill, new position, seat 6, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.
Mary McAllister, new position, seat 7, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.
Jack Laws, new position, seat 8, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.
Matthew Sniffen, new position, seat 9, must be appointed at large. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.
Patrick Skain, new position, seat 10, must be appointed at large. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

020431 **[Implementation of Prop A]**

Supervisor Gonzalez

Hearing on the implementation of the voter approved Proposition A, a charter amendment instituting Instant Run-off Voting for San Francisco Municipal Elections.

3/11/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

4/3/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Steven Hill; Tammy Haygood, Director, Department of Elections; Tom Schulz, Election Commission; Elaine Nueze; Charles Caliss; Connie Ford, Local 3, Betty Trainer; Barry Hermanson; Dave Kabelceck; Robert Newal; David Heller; Paul Plaid, Bradley Wiedmaier.

10/22/02, CONTINUED TO CALL OF THE CHAIR.

Heard in Committee. Speakers: John Arntz, Acting Director of Elections; Joe Tagert; Rob Eshelmean, aide to Supervisor Gonzalez; Caleb Klepner; Lucy Colbrun; Steven Hill; Jay Wallace.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021977 **[Golden Gate Park Stables Working Group Report.]**

Supervisor Hall

Hearing to receive a status report from the Golden Gate Park Stables Working Group.

11/25/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Ms. Fong, Recreation and Parks Dept.; Robert Dougherty; male speaker.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

LITIGATION

Conference with City Attorney

[Convene in Closed Session]
Motion that the Finance and Audits Committee convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlement listed below.

021829 **[Settlement of Lawsuit]**

Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Nonprofits' Insurance Alliance of California for receipt of an aggregate amount of $26,380.14 from Nonprofits' Insurance Alliance of California; the City and County of San Francisco filed the lawsuit on March 29, 2002 in San Francisco Superior Court (Case No. 406-211). (City Attorney)

(No Public Benefit Recipient.)

10/31/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Speaker: Ted Lakey, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes. 2 - Hall, Gonzalez
Absent. 1 - Sandoval

Deputy City Attorney Ted Lakey reported that the Audit and Government Efficiency Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding settlements in the lawsuits or claims listed above.

[Elect Not to Disclose]
Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

The meeting adjourned at 6:15 p.m.

City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Victor Young

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Tuesday, December 17, 2002 **10:00 AM** **City Hall, Room 263**

Rescheduled Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

Meeting Convened

The meeting convened at 10:18 a.m.

REGULAR AGENDA

021991 **[Appointment]**

Resolution appointing Supervisor Tom Ammiano, term ending February 9, 2007, to the Metropolitan Transportation Commission.

12/6/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021992 **[Appointment]**

Resolution appointing Supervisor Jake McGoldrick, term ending February 1, 2005, to the Bay Area Air Quality Management District Board of Directors.

12/6/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021998 **[Appointment to Telecommunications Commission]**

Mayor

Resolution approving the Mayor's appointment of Michael Rouan to the Telecommunications Commission for the term ending July 1, 2004. (Mayor)

12/9/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee. Speakers: Karin Carlson, Mayor's Office.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021891 **[Appointment]**

Hearing to consider appointing 8 members to the Homeless Senior Task Force.

8 Seats Being Considered:
□Vacant seat, new position, seat 1, must be a senior who is currently homeless or marginally housed, term to be determined;
□Vacant seat, new position, seat 2, must be a senior who is currently homeless or marginally housed, term to be determined;
□Vacant seat, new position, seat 3, must be a senior who is currently homeless or marginally housed, term to be determined;
□Vacant seat, new position, seat 4, must have extensive experience providing direct services to homeless seniors, term to be determined;
□Vacant seat, new position, seat 5, must be familiar with disability issues, term to be determined;
□Vacant seat, new position, seat 6, must have expertise in transitional housing especially shelter operations, term to be determined;
□Vacant seat, new position, seat 7, must have expertise in the development of permanent affordable housing, term to be determined;
□Vacant seat, new position, seat 8, must have expertise in the development of permanent affordable housing, term to be determined.

11/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Melvin Beetle; John Melone; Delbert Scott; Lynne Armstrong; Tim Dunn, Senior Action Housing Committee; Lolitta Kitinar.

Seats 5, 6, 7, and 8 divided and continued to the call of the chair. See File No. 022054.

DIVIDED.

Hearing to consider appointing 4 members to the Homeless Senior Task Force.

4 Seats Being Considered:
□Vacant seat, new position, seat 1, must be a senior who is currently homeless or marginally housed, term to be determined;
□Vacant seat, new position, seat 2, must be a senior who is currently homeless or marginally housed, term to be determined;
□Vacant seat, new position, seat 3, must be a senior who is currently homeless or marginally housed, term to be determined;
□Vacant seat, new position, seat 4, must have extensive experience providing direct services to homeless seniors, term to be determined.

Appointment of Melvin Beetle, seat 1, John Melone, seat 2, Delbert Scott, seat 3, and Lynne Armstrong, seat 4, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Melvin Beetle, John Melone, Delbert Scott, and Lynne Armstrong, terms to be determined, to the Homeless Senior Task Force, residency requirement waived.

Melvin Beetle, new position, seat 1, must be a senior who is currently homeless or marginally housed, term to be determined;
John Melone, new position, seat 2, must be a senior who is currently homeless or marginally housed, term to be determined;
Delbert Scott, new position, seat 3, must be a senior who is currently homeless or marginally housed, term to be determined;
Lynne Armstrong (residency requirement waived), new position, seat 4, must have extensive experience providing direct services to homeless seniors, term to be determined.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

022054 [Appointment]

Hearing to consider appointing four members to the Homeless Senior Task Force.

4 Seats Being Considered:
Vacant seat, new position, seat 5, must be familiar with disability issues, term to be determined;
Vacant seat, new position, seat 6, must have expertise in transitional housing especially shelter operations, term to be determined;
Vacant seat, new position, seat 7, must have expertise in the development of permanent affordable housing, term to be determined;
Vacant seat, new position, seat 8, must have expertise in the development of permanent affordable housing, term to be determined.

Divided from File No. 021891.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021630 **[Appointment]**

Hearing to consider appointing six members to the Skateboarding Task Force.

6 Seats Being Considered
Vacant Seat, new position, seat 1, must be a voting representative from the skateboarding community knowledgeable about the sport for a period of 5 years. Three-year term.
Vacant Seat, new position, seat 2, must be a voting representative from the in-line skating community knowledgeable about the sport for a period of 5 years. Three-year term.
Vacant Seat, new position, seat 3, must be a voting representative from the BMX or alternative biking community knowledgeable about the sport for a period of 5 years. Three-year term.
Vacant Seat, new position, seat 4, must be a voting representative with expertise in skateboarding businesses or services. Three-year term;
Vacant Seat, new position, seat 5, must be a voting representative from the business community with expertise in skateboarding prevention services, property management, or insurance services. Three-year term.
Vacant Seat, new position, seat 6, must be a voting representative with expertise in real estate or legal fields. Three-year term.

9/23/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Nicole Derse, Youth Commission; Ted Loewenberg; Ted Lakey, Deputy City Attorney; Jymi Shores; Ilya Weber; Kent Uyehara; Kenneth Maley; Mark Reader.

Seat 6 divided and continued to the call of the chair. See File No. 022055.

DIVIDED.

Hearing to consider appointing five members to the Skateboarding Task Force.

5 Seats Being Considered
Vacant Seat, new position, seat 1, must be a voting representative from the skateboarding community knowledgeable about the sport for a period of 5 years. Three-year term.
Vacant Seat, new position, seat 2, must be a voting representative from the in-line skating community knowledgeable about the sport for a period of 5 years. Three-year term.
Vacant Seat, new position, seat 3, must be a voting representative from the BMX or alternative biking community knowledgeable about the sport for a period of 5 years. Three-year term.
Vacant Seat, new position, seat 4, must be a voting representative with expertise in skateboarding businesses or services. Three-year term;
Vacant Seat, new position, seat 5, must be a voting representative from the business community with expertise in skateboarding prevention services, property management, or insurance services. Three-year term.

Appointment of Mark Reader, seat 1, Ilya Weber, seat 2, Jymi Shores, seat 3, Kent Uyehara, seat 4, and Ted Lowenberg, seat 5, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Mark Reader, Ilya Weber, Jymi Shores, Kent Uyehara, and Ted Loewenberg, terms to be determined, to the Skateboarding Task Force.

Mark Reader, new position, seat 1, must be a voting representative from the skateboarding community knowledgeable about the sport for a period of 5 years. Three-year term;
Ilya Weber, new position, seat 2, must be a voting representative from the in-line skating community knowledgeable about the sport for a period of 5 years. Three-year term;
Jymi Shores, new position, seat 3, must be a voting representative from the BMX or alternative biking community knowledgeable about the sport for a period of 5 years. Three-year term;
Kent Uyehara, new position, seat 4, must be a voting representative with expertise in skateboarding businesses or services. Three-year term;
Ted Loewenberg, new position, seat 5, must be a voting representative from the business community with expertise in skateboarding prevention services, property management, or insurance services. Three-year term.

Supervisor Hall absent for appointment of Mark Reader.

RECOMMENDED.. by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

022055 **[Appointment]**
Hearing to consider appointing one member to the Skateboarding Task Force.

1 Seat Being Considered:
Vacant Seat, new position, seat 6, must be a voting representative with expertise in real estate or legal fields. Three-year term.

Divided from File No. 021630.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Hall, Gonzalez, Sandoval

021890 **[Appointment]**
Hearing to consider appointing 6 members to the Graffiti Advisory Board.

6 Seats Being Considered:
Vacant seat, new position, seat 1, must be a member of the Board of Supervisors, for an indefinite term;
Vacant seat, new position, seat 2, must represent the Youth Court, for an indefinite term;
Vacant seat, new position, seat 3, must represent Youth Groups who provide services for juveniles involved in alternative programs for graffiti diversion, for an indefinite term;
Vacant seat, new position, seat 6, must represent small business in San Francisco, for an indefinite term;
Vacant seat, new position, seat 7, must represent large business in San Francisco, for an indefinite term;
Vacant seat, new position, seat 14, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term.

11/6/02, RECEIVED AND ASSIGNED to Rules and Audits Committee
11/6/02, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 021890.

Heard in Committee. Speakers: David Heller; Paul Giusti; Mike Farrah, aide to Supervisor Newsom; Harry Coleman.

Seats 2, 3, and 14 divided and continued to the call of the chair. See File No. 022056.

DIVIDED.

Hearing to consider appointing 3 members to the Graffiti Advisory Board.

3 Seats Being Considered:
Vacant seat, new position, seat 1, must be a member of the Board of Supervisors, for an indefinite term;
Vacant seat, new position, seat 6, must represent small business in San Francisco, for an indefinite term;
Vacant seat, new position, seat 7, must represent large business in San Francisco, for an indefinite term.

Appointment of Supervisor Newsom, seat 1, David Heller, seat 6, and Paul Giusti, seat 7, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Supervisor Gavin Newsom, David Heller, and Paul Giusti, indefinite terms, to the Graffiti Advisory Board.

Supervisor Gavin Newsom, new position, seat 1, must be a member of the Board of Supervisors, for an indefinite term;
David Heller, new position, seat 6, must represent small business in San Francisco, for an indefinite term;
Paul Giusti, new position, seat 7, must represent large business in San Francisco, for an indefinite term.

RECOMMENDED by the following vote:
Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

022056 **[Appointment]**

Hearing to consider appointing three members to the Graffiti Advisory Board.

3 Seats Being Considered:
Vacant seat, new position, seat 2, must represent the Youth Court, for an indefinite term;
Vacant seat, new position, seat 3, must represent Youth Groups who provide services for juveniles involved in alternative programs for graffiti diversion, for an indefinite term;
Vacant seat, new position, seat 14, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term.

Divided from File No. 021890.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

020969 **[Prohibition on Use of Public Funds for Printed Greeting Cards]**

Supervisor Daly

Ordinance amending Chapter 4 of Article III of the San Francisco Campaign and Governmental Conduct Code by adding a new section 3.405 to prohibit the use of City funds to produce or mail greeting cards.

6/3/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 7/3/2002

Heard in Committee. Speakers: Bill Barnes, aide to Supervisor Daly.

Continued to January 14, 2003.

CONTINUED by the following vote:
Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

021815 **[Publication of Annual Reports - Amend Administrative Code Sections 1.56 and 8.16]**

Supervisors Daly, Ma, Peskin

Ordinance amending Administrative Code Sections 1.56 and 8.16 to require that department heads, boards and commissions post annual reports on the City's website, and prohibiting departments, boards and commissions from publishing hard copies of such reports without approval of the Board of Supervisors.

10/28/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ted Lakey, Deputy City Attorney.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

020913 **[Amending the Appointment Process for the Child Care Planning and Advisory Council and Establishing Child Care Planning Advisory Council Account]**

Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by amending section 5.200 to: (1) provide that the Board of Supervisors appoints 15 members of the Child Care Planning and Advisory Council ("Council") and that the Board of Education, or County Superintendent of Schools, if the Board of Education delegates the appointment power to her or him, appoints 15 members of the Council and to; (2) amend compensation provisions for Council members to provide for compensation for all members who are not otherwise compensated for attending committee meetings; and amending the San Francisco Administrative Code by adding section 10.100-367 to establish the Child Care Planning and Advisory Council Fund.

5/28/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/27/2002.

10/22/02, CONTINUED TO CALL OF THE CHAIR.

10/28/02, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

10/28/02, ASSIGNED to Rules and Audits Committee.

11/6/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Melinda Felice; Ted Lakey, Deputy City Attorney; male speaker, female speaker; Ms. Brodkin.

11/6/02 Amendment of the whole bearing a new title.

11/6/02, CONTINUED AS AMENDED. Continued to November 19, 2002.

Heard in Committee. Speakers: Melinda Felice.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

020350 **[Corporate Property Reassessment]**

Supervisor Gonzalez

Resolution urging the California State Legislature to place on the ballot a constitutional amendment modifying current tax code to close corporate loopholes in Proposition 13 and allow reassessment of corporate property at current value.

2/25/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

3/4/02, REFERRED to Rules and Audits Committee.

5/21/02, CONTINUED TO CALL OF THE CHAIR. Speakers: None

7/16/02, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Norman Raul, Transportation Chair, San Francisco Tomorrow.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Mark Sanchez, San Francisco School Board; Larry Roberts, aide to Supervisor Gonzalez; Ron McCannon, Youth Commission.

12/17/02 Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:
Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

020392 **[Webpage Enhancement and Maintenance for the Board of Supervisors]**
Supervisors Sandoval, Daly
Motion amending Rules of Order of the Board of Supervisors by adding Rule 6.22, which will direct the Clerk of the Board of Supervisors to provide and maintain enhancements to the Webpage of the Board of Supervisors, and allow individual Supervisors privately to maintain a linked Webpage to be used in furtherance of the conduct of the City's business.
3/13/02, RECEIVED AND ASSIGNED to Rules and Audits Committee
7/16/02, CONTINUED TO CALL OF THE CHAIR.
Heard in Committee. Speakers: Gloria L. Young, Clerk of the Board;
RECOMMENDED by the following vote:
Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

LITIGATION

Conference with City Attorney

[Convene in Closed Session]
Motion that the Finance and Audits Committee convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlement listed below.

021937 **[Settlement of Lawsuit]**
Supervisor Gonzalez
Ordinance authorizing settlement of the lawsuit filed by plaintiff the Department of Fair Employment and Housing and intervening plaintiff Alane Bernadette Baca against the City and County of San Francisco and Andrew Blackwell for (1) payment of $100,000.00, including all damages, attorneys' fees and costs, (2) a credit of six (6) weeks of sick leave to intervening plaintiff Baca, and (3) the Police Department issuing a specified Department Bulletin, incorporating that Bulletin into specified EEO trainings, and beginning the process of reviewing and, where applicable, revising Department General Order 11.07; the lawsuit was filed on October 4, 2001, in San Francisco Superior Court, Case No. 325-126; entitled Department of Fair Employment and Housing, et al., v. City and County of San Francisco, et al (Real Party in Interest: Alane Bernadette Baca). (City Attorney)

(Public Benefit Recipient.)
11/27/02, RECEIVED AND ASSIGNED to Rules and Audits Committee
Heard in Closed Session. Speakers: Ted Lakey, Deputy City Attorney
RECOMMENDED.. by the following vote:
Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

021938 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuits filed by William J. Sepatis against the City and County of San Francisco for $100,000; the lawsuit under US District Court Case No. C00-2299 MHP filed on May 31, 2000 and the lawsuit under US District Court Case No. C00-1626 MHP filed on May 8, 2000 were consolidated, entitled William James Sepatis v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

11/27/02, RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Closed Session. Speakers: Ted Lakey, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021986 **[Settlement of Litigation]**

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Haruo Abe by accepting the total amount of $21,250 plus interest as provided in the settlement and Mutual Release and directing its attorney to sign the dismissal with prejudice of the subject litigation upon completion of all of the terms of the settlement agreement. (Treasurer-Tax Collector)

(No Public Benefit Recipient.)

12/10/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Closed Session. Speaker: George Putris, Tax Administrator; Ted Lakey, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

021987 **[Settlement of Litigation]**

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Hartford Properties, a California Corporation and Helen Parduhn Marshall, individuals by accepting the total amount of $25,000 directing its attorney to sign the Payment Agreement, Settlement and Release. (Treasurer-Tax Collector)

(Public Benefit Recipient.)

12/10/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Closed Session. Speaker: George Putris, Tax Administrator; Ted Lakey, Deputy City Attorney.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

ADJOURNMENT

The meeting adjourned at 12:50 p.m.

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City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Victor Young

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Tuesday, January 14, 2003 **1:00 PM** **City Hall, Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez, Gerardo Sandoval.

DOCUMENTS DEPT.
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Meeting Convened

The meeting convened at 1:19 p.m.

REGULAR AGENDA

020969 **[Prohibition on Use of Public Funds for Greeting Cards]**

Supervisor Daly

Ordinance amending Chapter 4 of Article III of the San Francisco Campaign and Governmental Conduct Code by adding a new section 3.405 to prohibit the use of City funds to produce or mail greeting cards.

6/3/02. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 7/3/2002.

12/17/02. CONTINUED. Heard in Committee. Speakers: Bill Barnes, aide to Supervisor Daly.

Continued to January 14, 2003.

Heard in Committee. Speakers: Supervisor Chris Daly; Ted Lakey, Deputy City Attorney; male speaker; Denise D'Anne; Delbert Scott.

01/14/03 Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending Chapter 4 of Article III of the San Francisco Campaign and Governmental Conduct Code by adding a new section 3.405 to prohibit the use of City funds to produce or mail printed greeting cards.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

022054 [Appointment]

Hearing to consider appointing four members to the Homeless Senior Task Force.

4 Seats Being Considered:
Vacant seat, new position, seat 5, must be familiar with disability issues, term to be determined;
Vacant seat, new position, seat 6, must have expertise in transitional housing especially shelter operations, term to be determined;
Vacant seat, new position, seat 7, must have expertise in the development of permanent affordable housing, term to be determined;
Vacant seat, new position, seat 8, must have expertise in the development of permanent affordable housing, term to be determined.

12/17/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.
12/17/02. CONTINUED TO CALL OF THE CHAIR. Divided from File No. 021891.

Heard in Committee. Speakers: Supervisor Chris Daly; Kim Schoen; Gay Kaplan; Merle Malakoff; Barbara Blong; Melvin Beetle; Denise D'Anne; Delbert Scott.

Appointment of Kim Schoen, seat 5, Barbara Blong, seat 6, Gay Kaplan, seat 7, and Merle Malakoff, seat 8, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Kim Schoen, Barbara Blong, Gay Kaplan, and Merle Malakoff, terms to be determined, to the Homeless Senior Task Force, residency requirement waived.

Kim Schoen, new position, seat 5, must be familiar with disability issues, term to be determined;
Barbara Blong, new position, seat 6, must have expertise in transitional housing especially shelter operations, term to be determined;
Gay Kaplan (residency requirement waived), new position, seat 7, must have expertise in the development of permanent affordable housing, term to be determined;
Merle Malakoff, new position, seat 8, must have expertise in the development of permanent affordable housing, term to be determined.

RECOMMENDED.. by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

030012 [Appointment]

Resolution appointing Supervisor Tom Ammiano as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

1/6/03. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:
Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

030015 [Appointment]

Resolution appointing Supervisor Tony Hall as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

1/8/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

030017 [Appointment]

Resolution appointing Supervisor Sophie Maxwell as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

1/8/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

030019 [Appointment]

Resolution appointing Supervisor Jake McGoldrick as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

1/8/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

030011 [Appointment]

Hearing to consider appointing two members to the Developmental Disabilities Area Board V.

2 Seats Being Considered:
Vacant Seat, succeeding Theresa Gallegos, term expired, seat 1, must represent the public at large, for the unexpired portion of a three-year term ending December 31, 2004;
Vacant Seat, succeeding Sara Desumala, term expired, seat 2, must have a demonstrated interest and leadership in human services, for the unexpired portion of a three-year term ending December 31, 2004.

1/6/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Sara Desumala.

Seat 1 divided and continued to the call of the chair. See File No. 030086.

DIVIDED.

Hearing to consider appointing one member to the Developmental Disabilities Area Board V.

1 Seat Being Considered:
Vacant Seat, succeeding Sara Desumala, term expired, seat 2, must have a demonstrated interest and leadership in human services, for the unexpired portion of a three-year term ending December 31, 2004.

Appointment of Sara Desumala, seat 2, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Sara Desumala, term ending on December 31, 2004, to the Developmental Disabilities Area Board V.

Sara Desumala, succeeding herself, term expired, seat 2, must have a demonstrated interest and leadership in human services, for the unexpired portion of a three-year term ending December 31, 2004.

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

030083 **[Appointment]**

Hearing to consider appointing one member to the Developmental Disabilities Area Board V.

1 Seat Being Considered:
Vacant Seat, succeeding Theresa Gallegos, term expired, seat 1, must represent the public at large, for the unexpired portion of a three-year term ending December 31, 2004.

Divided from File No. 030011.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021944 [Appointment]

Hearing to consider appointing five members to the Veterans Affairs Commission.

5 Seats Being Considered:
Vacant seat, succeeding Carla Hollis, term expired, seat 1, must be an at-large appointment, for a new four-year term ending January 31, 2007;
Vacant seat, succeeding C. J. O'Mara, term expired, seat 5, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2006;
Vacant seat, succeeding Vincent Rios, term expired, seat 7, must be a person who served in the Armed Forces of the United states of America and is suffering under a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veterans' Administration, for a new four-year term ending January 31, 2007;
Vacant seat, succeeding Bud Wilson, term expired, seat 8, must be an at-large appointment, for a new four-year term ending January 31, 2007;
Vacant seat, succeeding ;.Aaron Zeff, term expired, seat 11, must be an at-large appointment, for a new four-year term ending January 31, 2007.

11/18/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Tina Tom, aide to Supervisor Sandoval; Carla Hollis; Glenn "Raz" Raswyck; Peter Ricci; Aaron Zeff; Bud Wilson; Jennifer Alexander; C. J. O'Mara; Edwin Wilkerson; Ralph Gibson; Godofredo Gomez; Rene Puliatti; Patricia Morti; Arch Wilson; Bud Robins; Wallace Levin; Ted Lakey, Deputy City Attorney.

Appointment of Godofredo Gomez, seat 1, Carla Hollis, seat 5, Ralph Gibson, seat 7, Bud Wilson, seat 8, and Aaron Zeff, seat 11, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Carla Hollis, term ending January 31, 2006, and Godofredo Gomez, Ralph Gibson, Bud Wilson, and Aaron Zeff, terms ending January 31, 2007, to the Veterans Affairs Commission.

Godofredo Gomez, succeeding Carla Hollis, term expired, seat 1, must be an at-large appointment, for a new four-year term ending January 31, 2007;
Carla Hollis, succeeding C. J. O'Mara, term expired, seat 5, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2006;
Ralph Gibson, succeeding Vincent Rios, term expired, seat 7, must be a person who served in the Armed Forces of the United states of America and is suffering under a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veterans' Administration, for a new four-year term ending January 31, 2007;
Bud Wilson, succeeding himself, term expired, seat 8, must be an at-large appointment, for a new four-year term ending January 31, 2007;
Aaron Zeff, succeeding himself, term expired, seat 11, must be an at-large appointment, for a new four-year term ending January 31, 2007.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021943 [Appointment]

Hearing to consider appointing four members to the Golden Gate Bridge, Highway and Transportation District.

4 Seats Being Considered:
Vacant seat, succeeding Joseph Blue, seat 1, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;
Vacant seat, succeeding Robert McDonnell, seat 2, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;
Vacant seat, succeeding Leah Shahum, seat 3, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;
Vacant seat, succeeding Maryanne Harrison, seat 4, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005.

11/18/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Anita Grier; Espanola Jackson; Michael Lauer; Larry Roberts, aide to Supervisor Matt Gonzalez; Supervisor Bevan Dufty; Joseph Blue; Leah Shahum; Robert McDonnel; MaryAnn Harrison; Janet Reilly; Clement DeAmicis; Bill Maher; Gail Neira; Dave Negrasi; Ann Daugherty; Denise D'Anne; Alex Chiu; Jeffrey Washington; Supervisor Fiona Ma; Lynn Lannon; Walter John, SF Labor Council; Robert Badin; Patricia Daugherty.

Appointment of Janet Reilly, seat 1, Robert McDonnel, seat 2, Leah Shahum, seat 3, and Maryanne Harrison, seat 4, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Janet Reilly, Robert McDonnell, Leah Shahum, and Maryanne Harrison, for a term subject to review and affirmation on January 31, 2005, to the Golden Gate Bridge, Highway and Transportation District.

Janet Reilly, succeeding Joseph Blue, seat 1, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;
Robert McDonnell, succeeding himself, seat 2, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;
Leah Shahum, succeeding herself, seat 3, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;
Maryanne Harrison, succeeding herself, seat 4, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

022026 [Amending the Rules of Order of the San Francisco Board of Supervisors]

Motion amending Rules 1.1, 2.9, 2.18, 3.7, 3.8, 3.11, and 5.35 of the Rules of Order of the Board of Supervisors to reflect the change of the regular meeting day from Monday to Tuesday and deadlines related thereto. (Clerk of the Board)

12/16/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Gloria L. Young, Clerk of the Board; Ted Lakey, Deputy City Attorney.

RECOMMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

022015 [Amend Rule 3.9 - Roll Call Requests]

Supervisor Gonzalez

Motion amending Rule 3.9 of the Rules of Order of the Board of Supervisors to allow Supervisors to make Roll Call requests for introduction at alternate Board meetings beginning in February of 2003.

12/9/02. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Gloria L. Young, Clerk of the Board; Ted Lakey, Deputy City Attorney.

01/14/03 Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

021791 [Preservative-treated Wood Containing Arsenic]

Supervisors Peskin, Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 21G, requiring all City Departments and Contractors to purchase preservative-treated wood only from the list of environmentally preferable alternatives adopted by the Department of the Environment; requiring all City Departments that own or maintain play structures, park equipment or other facilities constructed with preservative-treated wood containing arsenic to undertake certain actions; requiring the Department of the Environment to report to the Commission on the Environment on the programs mandated by this Chapter; requiring disposal of preservative-treated wood containing arsenic at approved landfills; and directing the Department of Building Inspection and the Department of the Environment to report on a possible citywide ban on preservative-treated wood containing arsenic.

10/21/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 11/20/2002.

Heard in Committee. Speakers: Supervisor Aaron Peskin; Debbie Rafael, Dept. of the Environment.

01/14/03 Amended on Page 4, line 9 after the words "June 30, 2003" delete one of the commas.

AMENDED.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

021997 [Authorizing the transfer of Institutional Police from the Department of Public Health to the Sheriff]

Supervisor Peskin

Ordinance amending the Administrative Code by adding a new Section 1.59 to authorize the transfer of the Institutional Police Department from the Department of Public Health to the Sheriff.

(Fiscal impact.)

12/9/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 1/8/2003

Heard in Committee. Speakers. Supervisor Aaron Peskin, Sheriff Michael Hennessey; Ken Bruce, Budget Analyst's Office; John Kenedy, Dept. Public Health, Dale Butler, Local 790; male speaker; Bob Woolow; Dave Wong; David Kong.

Continued to next Rules and Audits Committee meeting date

CONTINUED by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021853 [Extending the Existence of the CEDAW Task Force]

Supervisor Maxwell

Ordinance amending San Francisco Administrative Code by amending Section 12K.5 to change the expiration date of the Convention to Eliminate all forms of Discrimination Against Women ("CEDAW") Task Force from December 31, 2002 to June 30, 2003.

11/4/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 12/4/2002.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 1 - Hall

LITIGATION

Conference with City Attorney

[Convene in Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlement listed below.

022048 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Scott Nisbet and Daniel David against the City and County of San Francisco and AT&T Corporation in exchange for a waiver of costs by San Francisco; the lawsuit was filed on February 19, 2002 in San Francisco Superior Court, Case No. 02-404691; entitled Nisbet and David v. AT&T Corp. and the City and County of San Francisco; other material terms of said settlement are that AT&T will pay costs and fees to plaintiffs' counsel, and will provide pre-paid telephone calling cards with a value of $50,000 for free distribution in San Francisco; these cards will be distributed through the San Francisco Convention and Visitors Bureau, the San Francisco Department of Public Health, and the San Francisco Department of Human Services. (City Attorney)

(No Public Benefit Recipient.)

12/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in closed session. Speakers: Ted Lakey, Deputy City Attorney.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Gonzalez, Sandoval

021541 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Robert Haaland against the City and County of San Francisco for $107,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Robert Haaland, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

12/26/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in closed session. Speakers: Ted Lakey, Deputy City Attorney.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 2 - Hall, Sandoval
Absent: 1 - Gonzalez

ADJOURNMENT

The meeting adjourned at 6:15 p.m.

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[Budget Analyst Report]
Susan Hom
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CITY AND COUNTY OF SAN F[illegible]

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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January 9, 2003

TO: Rules and Audits Committee

FROM: Budget Analyst

SUBJECT: January 14, 2003 Rules and Audits Committee Meeting

Item 12 – File 02-1791

Department: Department of the Environment (DOE)

Item: Ordinance amending the Administrative Code by adding Chapter 21G, requiring all City Departments and contractors to purchase preservative-treated wood only from the list of environmentally preferable alternatives adopted by the Department of the Environment; requiring all City Departments that own or maintain play structures, park equipment or other facilities constructed with preservative-treated wood containing arsenic to undertake certain actions; requiring the Department of the Environment to report to the Commission on the Environment on the programs mandated by this Chapter; requiring disposal of preservative-treated wood containing arsenic at approved landfills; and directing the Department of Building Inspection and the Department of the Environment to report on a possible Citywide ban on preservative-treated wood containing arsenic.

Description: The proposed ordinance adds Chapter 21G to the San Francisco Administrative Code to require the following:

- As of June 30, 2003, City departments and City contractors who are purchasing wood on behalf of the City must only purchase wood or wood alternative products that appear on a list of alternatives to preservative-treated wood containing arsenic, to be developed by the Department of the Environment (DOE). City departments and City contractors may apply to the DOE for an exemption. Wood intended for saltwater immersion would be exempted. According to Ms. Debbie Raphael of the DOE, this saltwater immersion exemption is because there are currently no alternatives to arsenic treated wood for wood that will be submerged in saltwater.
- As of June 30, 2003, City departments that own or maintain playground equipment must have (1) an inventory of equipment that was constructed with preservative-treated wood containing arsenic, (2) a timeline and cost analysis for replacing these structures with alternatives materials, and (3) a written management program for such equipment. Departments must update these documents annually and provide copies to the DOE.
- As of June 30, 2003, City departments that own or maintain park structures other than playground equipment, including benches and picnic tables constructed with preservative-treated wood containing arsenic, must have a plan to inventory and manage such structures and submit that plan to the DOE.
- No later than September 30, 2003, the DOE would report to the Commission on the Environment on the progress of the programs and mandates which the subject ordinance would require, and no later than June 30, 2005, the Commission would report on such progress to the Board of Supervisors.
- As of the effective date of the subject ordinance, City departments must dispose of preservative-treated wood containing arsenic only at approved landfills and insure that the materials are not available for reuse.
- No later than June 30, 2003, the Department of Building Inspection and the DOE would investigate and report to the Commission on the legality, feasibility, and cost implications of imposing a Citywide ban on the sale,

purchase and installation of preservative-treated wood containing arsenic.

Comments:

1. Ms. Rona Sandler of the City Attorney's Office advises that the proposed ordinance would apply to City departments and City contractors who purchase wood on behalf of the City. Ms. Raphael states that the primary department(s) that the proposed ordinance would impact is the Recreation and Park Department and City contractors of the Department of Public Works (DPW).

2. According to Ms. Mary Tienken of the Department of Recreation and Parks, since 2000, when San Francisco voters approved the $110,000,000 Neighborhood Recreation and Park Facilities Improvement General Obligation Bond, the Department's capital improvement plan has included funds to replace play structures that do not comply with current safety and ADA codes. Ms. Tienken states that some of these existing play structures are constructed with preservative-treated wood containing arsenic.

3. Ms. Tienken states that in April 18, 2002, SCA Environmental was selected through a Department of Public Works competitive process for a contract in the amount of $20,217 funded by the Open Space Fund. Ms. Tienken notes that SCA was retained to develop a preliminary work plan for managing the Department's play structures constructed with preservative-treated wood containing arsenic. According to Ms. Tienken, management of these structures requires that the structures are to be sealed or replaced with metal, plastic or non-arsenic containing wood structures. Ms. Tienken notes that this preliminary management work plan should be completed in March of 2003.

However, Ms. Tienken advises that the Department has not conducted a facility wide inventory of the wood play equipment nor begun a final management work plan based on the results of a facility-wide inventory, as the proposed subject ordinance requires. According to Ms. Tienken, developing such a facility wide inventory would require an outside consultant at a cost of approximately $70,000 for labor, testing and materials. In addition, Ms. Tienken states that the Recreation and Park Department would need to hire a .5 FTE 5274 Landscape Architect for one year, at an

estimated cost of $61,178 including salary and fringe benefits[1], to manage the consultant and complete the final management work plan based on the preliminary work plan and the results of the facility wide inventory. However, the Budget Analyst notes that the proposed ordinance does not require that the final management work plan be implemented. Ms. Tienken cannot estimate the total cost of implementing the final management work plan, which would require sealing or replacing the Department's structures that were constructed with wood containing arsenic, until the inventory of all of these facilities is completed.

4. The Attachment, provided by the Department of the Environment, is list of price per linear foot for 4 feet by 4 inches of lumber treated with arsenic and lumber and non-lumber alternatives. The Attachment shows that the arsenic treated wood ranges between $0.86 and $1.30 per linear foot and non-arsenic treated alternatives range between $0.89 and $1.82 per linear foot. According to Ms. Raphael, alternatives to arsenic treated lumber are readily available.

5. According to Ms. Raphael, as required by the proposed ordinance, the DOE would maintain and report on information submitted by City departments, and analyze and report to the Commission on the Environment on the legality, feasibility, and cost implications of imposing a Citywide ban on the sale, purchase and installation of preservative-treated wood containing arsenic. Ms. Raphael notes that the DOE would not require additional staff or resources to complete these tasks.

According to Ms. Amy Lee of DBI, DBI would also analyze and report to the Commission on the legality, feasibility, and cost implications of imposing a Citywide ban on the sale, purchase and installation of preservative-treated wood containing arsenic with the DOE, as required by the proposed ordinance, using existing resources.

[1] Base salary for a full time 5274 Landscape Architect at Step 5 is $99,476, with fringe benefits at 23% of base salary of $22,880, for a total cost of $122,356.

6. Ms. Raphael states that City departments disposing of preservative-treated wood containing arsenic in an approved landfill and insuring that the material is not available for reuse would not create new costs because this is the current disposal practice of City departments. However, Ms. Raphael states that the current disposal practices of the City's contractors are unknown. Therefore, according to Ms. Raphael, the proposed ordinance may generate additional contractor costs which might be passed on to the City. Ms. Raphael is unable to estimate such potential increased costs at this time.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Price Survey of Pressure Treated Wood Suppliers in the Bay Area - 10/31/02				
Wood Treatment	Brand Name	Price per lineal foot for 4X4	Supplier	Phone Number
ACQ	Mendocino Forest	$0.89	Home Depot	650-755-9600
ACQ	Georgia Pacific	$1.11	Golden State	415-468-1000
ACQ	All-Weather, Pacific Wood	$1.39	Hayward Lumber	831-373-1326
ACQ	All-Weather	$1.50	Lakeside	415-731-5252
ACQ	NatureWood	$1.65	Ashby Lumber	510-843-4832
ACQ	Georgia Pacific	$1.70	Sierra Point	415-468-1000
ACQ	All-Weather	$1.79	Piedmont	510-658-1826
ACQ	All-Weather	$1.82	Larson Bros	510-357-5020
ACQ	Exterior Wood	$1.90	Beronio	415-824-4300
CBA	Natural Select	$1.37	Truitt & White	877-600-1470
CBA	Conarb	$1.39	Discount Builders Supply	415-621-8511
CCA*		$0.86	Economy	510-261-6100
CCA*		$1.09	Lumberland Builders Supply	415-648-4255
CCA*		$1.10	Broadmoor (SunWood)	650-761-1515
CCA*		$1.30	South City	650-588-5711
ACZA*		$0.95	Good View	415-282-9748
ACZA*		$2.00	South City	650-588-5711
unknown		$1.30	Lumberman	415-621-3388
unknown		$1.69	Golden City Building Supply	415-441-0941

Data collected by CEH staff and Tom Lent
*These wood treatments contain arsenic.

Price Comparison Between Arsenic & Non-Arsenic Pressure Treated Wood	
Wood Treatment Type	Price Range
Non-Arsenic Containing	$0.89-1.82
Arsenic-Containing	$0.86-1.30

Source: Department of the Environment

Item 13 - File 02 - 1997

Departments: Sheriff's Department
Department of Public Health (DPH)

Item: Ordinance amending the Administrative Code to add Section 1.59 authorizing the transfer of the DPH Institutional Police and related positions and functions from the Department of Public Health to the Sheriff's Department and authorizing the Controller and the Director of the Department of Human Resources to transfer the related funding and personnel to the Sheriff's Department.

Description: The proposed ordinance authorizes the Department of Public Health and the Sheriff's Department to enter into an interagency agreement transferring security-related functions and positions from the Department of Public Health (DPH) to the Sheriff's Department. The transfer, including related funding and personnel, would become effective on February 1, 2003.

According to the interagency agreement between DPH and the Sheriff's Department, the organizational change is intended to improve law enforcement services and standards at DPH facilities by improving law enforcement management and coordination, establishing a formal law enforcement chain of command, providing improved training opportunities, and assigning more appropriate civil service classifications for security personnel.

Pursuant to the interagency agreement, services will be maintained at the DPH budgeted level for security services for the remainder of FY 2002-2003. In subsequent years, according to Ms. Jean Mariani of the Sheriff's Department, service levels and funding will be negotiated between the two departments. All expenditures will be subject to appropriation approval by the Board of Supervisors.

In total, 63.67 FTEs will be transferred from DPH to the Sheriff's Department. This includes 52.3 Institutional Police positions. The 63.67 FTEs includes 40.3 Class 8204 Institutional Police Officers, 10 Class 8205

Institutional Police Sergeants, one Class 8206 Institutional Police Captain, one Class 8209 Institutional Police Lieutenant, eight Class 8202 Security Guards, three Class 1705 Dispatchers, representing a total of 63.3 permanent positions. Also, funding for a 0.37 temporary Institutional Police position will be transferred to the Sheriff's Department. As of December 2, 2002, of the 63.3 permanent FTEs, 53.0 positions or 83.7 percent are filled and 10.3 positions or 16.3 percent are vacant according to DPH. All of the vacant positions are in Institutional Police classifications.

According to Mr. Ted Lakey of the City Attorney's Office, approval of the proposed ordinance also places into effect the provisions of two Memoranda of Accord. The first Memorandum of Accord, approved in May of 2000, is between the Sheriff and the Service Employees International Union Local 790, the International Brotherhood of Operating Engineers Local 3, and the San Francisco Deputy Sheriff's Association representing line staff. The second Memorandum of Accord, approved in October of 2000, is between the Sheriff and the International Brotherhood of Operating Engineers Local 3, the San Francisco Institutional Police Officer's Association and the San Francisco Deputy Sheriff's Association representing supervisory staff ranks such as Sergeants, Lieutenants, and Captains. According to Ms. Linda Ross of the City Attorney's Office, the two Memoranda of Accord were created to convey the intentions of the Sheriff regarding the integration of the Institutional Police working in the DPH into the Sheriff's Department. The two Memoranda of Accord express the Sheriff's intent to support a) the transfer of the Institutional Police function to the Sheriff's Department, b) the conversion of Institutional Police classifications to Deputy Sheriff classifications, and c) the increase of disability and retirement benefits of Institutional Police classifications to levels received by Deputy Sheriff classifications. Further, the two Memoranda of Accord provide guidelines for the routine administration of human resources, such as probationary periods, training, and workplace safety. According to Ms. Ross, the provisions of the Memoranda of Accord remain subject to all necessary rules and regulations, such as the civil

service process for the selection and appointment of a Deputy Sheriff. According to Ms. Ross, the two Memoranda of Accord were not subject to approval by the Board of Supervisors because the transfer was not in effect at the time. Further, the provisions included in the two Memoranda of Accord will be included in current negotiations with the labor unions and will be submitted to the Board of Supervisors for approval with the Memoranda of Understanding.

As noted above, the two Memoranda of Accord provide for the conversion of Institutional Police positions to sworn Deputy Sheriff classifications. Conversions in the current fiscal year do not require additional approval by the Board of Supervisors according to Ms. Alice Villagomez, Deputy Director of Employee Relations, because a temporary conversion can be obtained administratively when there is no request for supplemental appropriations. However, permanent conversions require approval by the Board of Supervisors through the budget process. Further, individual Institutional Police personnel must qualify and be eligible for the Deputy Sheriff classification before receiving an appointment to a Deputy Sheriff position. If an employee is not eligible or does not accept an appointment to a Deputy Sheriff classification, he or she will remain in the Institutional Police classification until separation from the Department. Once an Institutional Police position is vacated, it can be permanently converted to a Deputy Sheriff classification under the two Memoranda of Accord, subject to funding appropriation approval by the Board of Supervisors.

Comments:

1. Pursuant to the proposed ordinance, the Controller will transfer the unexpended FY 2002-2003 budget for Institutional Police, Security Guard, and Dispatcher personnel remaining as of February 1, 2003 from DPH to the Sheriff's Department. As calculated in Attachment I by the Sheriff's Department, the Sheriff has estimated the transfer amount to be approximately $1,953,833. Ms. Pamela Levin of the Controller's Office has reviewed the estimate and has concluded it is reasonable. The Budget Analyst concurs that the transfer amount is reasonable.

2. The conversion of Institutional Police positions to equivalent Deputy Sheriff classifications will result in

increased costs due to salary differentials. The Sheriff's Department has projected that nine Institutional Police classifications will convert to Deputy Sheriff classifications in FY 2002-2003 and the Sheriff's Department has calculated the cost increase to be $63,512 over the remainder of this fiscal year. Calculations are presented in Attachment II prepared by the Sheriff's Department. According to Ms. Mariani, the Sheriff's Department expects to absorb the increased costs in FY 2002-2003 by reducing overtime costs budgeted in the DPH for the Institutional Police Unit. Due to the existing hiring freeze imposed by the Mayor's Budget Office, the Sheriff anticipates filling the nine converted positions by reassigning existing Deputy Sheriffs and leaving vacancies elsewhere in the Sheriff's Department, rather than hiring nine new Deputy Sheriffs. According to Ms. Mariani, the reassignment of existing Deputy Sheriffs will not result in increased overtime costs because the Sheriff's Department has sufficient filled positions to cover all fixed post assignments.

Further, the Sheriff has projected Institutional Police conversions into Deputy Sheriff positions for the next four years, from FY 2003-2004 through FY 2006-2007, as shown in Attachment II. The Sheriff expects that four Institutional Police classifications will convert to Deputy Sheriff classifications in each of the next three subsequent fiscal years through FY 2005-2006 and that there will be three conversions in FY 2006-2007. The total estimated cost from these 15 conversions and the nine conversions in FY 2002-2003, according to Sheriff's Department calculations shown in Attachment II, is $1,554,431 over the five-year period from FY 2002-2003 through FY 2006-2007. The estimated cost is based on FY 2001-2002 salary levels for positions at the highest step, inflated to adjust the calculation for FY 2002-2003 salary increases and estimated salary increases through FY 2006-2007, and a fringe benefit rate of 30 percent. Included in the $1,554,431 estimate are increases in the fringe benefit rate due to anticipated increases in the California Public Employees Retirement System (PERS) contribution requirements. According to information provided by PERS to the Mayor's Office, PERS contribution requirements are expected to increase by four percent of

employee salaries in FY 2003-2004 (from the current level of five percent to nine percent) and by an additional 16 percent in FY 2004-2005 (from nine percent to 25 percent).

Beginning in FY 2003-2004, according to Ms. Mariani, responsibility for the funding sources for these increased costs will be subject to negotiation between DPH and the Sheriff's Department annually. According to Mr. James Alexander of the Department of Public Health and as discussed in Attachment III, any increased costs to DPH in future years will be paid for through a reduction in existing DPH budgeted expenditures, potentially resulting in service level reductions, or through identifying additional non-General Fund revenue sources. However, no specific funding sources have been identified as of the writing of this report.

3. The Budget Analyst estimates that the increased cost of the proposed conversion of all 52.3 FTE Institutional Police positions, including Institutional Police Sergeants and Institutional Police Captains, to equivalent uniformed positions in the Sheriff's Department is approximately $714,225 annually, based on FY 2002-2003 salary and benefit levels. However, the Memoranda of Understanding with the labor unions, as previously approved by the Board of Supervisors, covering both the Deputy Sheriff and the Institutional Police classifications, expire on June 30, 2003 and such costs may increase in future years.

4. The two Memoranda of Accord provide for the conversion of all vacant Institutional Police positions to the equivalent position classification in the Sheriff's Department. According to DPH, as of December 2, 2002, there are 10.3 vacant Institutional Police positions, including 7.3 Institutional Police Officers, two Sergeants and one Captain. The Budget Analyst estimates that the increased costs for the conversion of these 10.3 positions, which can occur immediately upon transfer, would be approximately $64,080 for the remainder of FY 2002-2003 and approximately $156,306 annually thereafter, based on FY 2002-2003 salary and benefit levels. The Sheriff's Department has projected only nine conversions of Institutional Police positions in FY 2002-2003 for a total

increased cost in the current fiscal year of $63,512. However, according to Ms. Mariani, the Sheriff's Department will convert any Institutional Police position in the current fiscal year that becomes vacant to a Deputy Sheriff position, which would result in actual costs exceeding the Sheriff's Department cost estimates.

5. The Budget Analyst notes that the Sheriff's Department anticipates converting one vacant Institutional Police Sergeant position to a Senior Deputy Sheriff position, which is a lower rank position than an equivalent Sheriff's Sergeant position. If the conversion were to an equivalent Sheriff's Sergeant position, the increased annual cost would be $20,010. However, because a Senior Deputy Sheriff is a lower rank, the actual increased cost of the conversion would be $10,742, resulting in an annual savings of $9,268. This cost is included in the Sheriff's estimate of increased costs discussed above.

6. In the FY 2002-2003 Sheriff's Department budget, the Board of Supervisors approved one Sheriff's Captain position to oversee the Institutional Police transition from DPH to the Sheriff's Department and to manage the function once the transition occurred. The position is funded through a work order from DPH. However, DPH has held its Institutional Police Captain position vacant. According to Ms. Mariani, the vacant Institutional Police Captain position, once transferred to the Sheriff's Department, will be eliminated and will not be converted to a Sheriff's Captain position.

7. According to a five-year historical analysis performed by DPH, included as Attachment IV, actual expenditures for the DPH Institutional Police Unit have exceeded budgeted amounts in every fiscal year from FY 1997-1998 through FY 2001-2002. However, according to Ms. Mariani and as shown in Attachment I, the Sheriff's Department projects that actual expenditures in FY 2002-2003 for the Institutional Police function will be less than the budgeted level by $48,583.

8. The Budget Analyst notes that the Controller is projecting as of January 1, 2003 that the Sheriff's Department will have a current FY 2002-2003 deficit of $3,255,680 from salaries and fringe benefit expenditures exceeding budgeted amounts. According to Ms. Mariani, the Sheriff is estimating a total deficit requiring a supplemental appropriation of $3.1 million of which $1.5 million is due to salaries and fringe benefits. Accordingly, the Sheriff's Department does not have the funding to absorb any further increased costs in FY 2002-2003. As previously noted, the anticipated conversion of nine Institutional Police Officer positions to Deputy Sheriff positions will result in increased costs of $63,512 in FY 2002-2003 according to the Sheriff's estimate. The Budget Analyst will analyze the supplemental appropriation when it is submitted by the Sheriff's Department to the Finance Committee of the Board of Supervisors.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Harvey Rose

cc: Supervisor Hall
Supervisor Gonzalez
Supervisor Sandoval
Clerk of the Board
Controller
Ben Rosenfield
Ted Lakey

Transfer of Security Function from Department of Public Health to Sheriff's Department
Expenditure Estimates 2002-03

2002-03	Total Salaries	Total Fringe Benefits	Salary & Fringe Totals
Laguna Honda			
Budget	600,141	140,038	740,179
Actuals			-
thru 11/22	224,145	49,456	273,601
DPH - 101 Grove			
Budget	204,255	42,582	246,837
Actuals			
thru 11/22	76,106	12,722	88,828
SFGH			
Budget	3,172,491	650,167	3,822,658
Actuals			-
thru 11/22	1,280,217	221,086	1,501,303
Primary Care			
Budget	80,392	16,752	97,144
Estimate			-
thru 11/22	32,034	4,750	36,783
Budget to Projected Spending thru 6/30/03			
Budget	4,057,279	849,539	4,906,818
Projected	4,130,818	727,417	4,858,235
Balance	$ (73,539)	$ 122,122	$ 48,583
	-		-
Projected Spending thru 1/31/03			-
Laguna	354,378	73,233	427,611
DPH	116,344	18,838	135,183
SFGH	2,008,347	327,377	2,335,725
Primary Care	47,434	7,033	54,467
Estimated Remaining Balance for Transfer effective 2/1/03			
Laguna	245,763	66,805	312,568
DPH	87,911	23,744	111,654
SFGH	1,164,144	322,790	1,486,933
Primary Care	32,958	9,719	42,677
Total	$ 1,530,775	$ 423,057	$ 1,953,833

Source: Jean Mariani, Sheriff's Department

SHERIFF'S DEPARTMENT
TRANSFER OF DEPARTMENT OF PUBLIC HEALTH INSTITUTIONAL POLICE

ATTACHMENT II

PROJECTED COST INCREASES

POSITION	Count	DPH Annual Salary	DPH Salary Total	SFSO Annual Salary	SFSO Salary Total	Cost Differential Individual Position	Cost Differential Total Program
Officer	39.30	$56,723	$2,229,214	$65,349	$2,568,216	$8,620	$339,002
Senior Deputy	-	63,283		73,008		9,725	-
Sergeant	10.00	63,283	632,830	79,830	798,300	16,547	165,470
Lieutenant	1.00	89,788	89,788	91,536	91,536	21,748	21,748
Captain	1.00	70,939	78,939	104,960	104,960	28,021	28,021
Totals	51.30		$3,008,771		$3,563,012	$84,667	$554,241

(Note: Annual salaries based on FY 2001-02 levels.)

CONVERSIONS	Year 1 FY 2002-03	Year 2 FY 2003-04	Year 3 FY 2004-05	Year 4 FY 2005-06	Year 5 FY 2006-07
Number of Officer Positions	5	3	3	3	3
Officer	$43,130	$27,454	$28,278	$29,126	$30,000
Senior Deputy	9,725				
Sergeant	16,547	17,555	18,081	18,624	
Lieutenant	21,748				
Captain	28,021				
Total Salary Difference (a)	119,171	45,009	40,359	47,750	30,000
Add: Benefits (b)	35,751	15,303	23,179	23,875	15,000
Annual Totals	154,922	60,312	69,538	71,025	45,000
FY 02-03 remaining pay periods (c)	63,512				
Aggregated	63,512	226,078	347,615	429,868	487,558
Cumulative Cost	$63,512	$ 289,591	$ 637,208	$1,066,874	$1,554,431

(a) Includes a 3 percent COLA each year.
(b) Estimated at 30 percent plus 4 percent in FY 03-04 and an additional 18 percent in FY 04-05 for anticipated PERS increases.
(c) As of an effective date of February 1, 2003, 10.7 pay periods remain in FY 2002-03.
(d) Aggregated costs are inflated to apply increased benefits on prior year projections carried forward.

Source: Jean Mariani, Sheriff's Department

City and County of San Francisco
Department of Public Health

MEMORANDUM

January 8, 2003

TO: Harvey Rose, Budget Analyst

FROM: James Alexander, Budget Manager

RE: Institutional Police Increases

Increased security costs as a result of the conversion of Institutional Police to Sheriff's Deputies will be subject to annual negotiation of the workorder between the Sheriff and the Department of Public Health. Increased security costs will be absorbed by reductions in existing budgeted expenditures, or by adjusting the level of requested security services equal to the increased costs. Additionally, any non-general fund revenues identified while developing the annual budget would be used to offset increased costs.

(415) 554-2600 101 Grove Street San Francisco, CA 94102

101 Grove	98 Budget	98 Actual	99 budget	99 actual	00 budget	00 actual	01 budget	01 actual	02 budget	02 actual
Permanent Salaries	198,584	200,062	205,307	212,632	150,864	132,943	155,622	157,235	159,776	117,751
Temp Salaries	16,810	7,086	17,314	8,507	17,314	14,870	17,314	7,798	17,314	14,067
Premium Pay	0	3,919		4,525		2,911		1,200		724
Overtime	18,195	36,398	18,741	53,937	18,741	51,368	18,741	40,661	18,741	41,436
Holiday Pay						2,041		3,247		1,412
Fringe	50,257	55,960	52,306	43,301	39,170	25,477	41,715	45,224	43,107	31,270
Total	283,846	303,425	293,668	322,902	226,089	229,610	233,392	255,365	238,938	206,660

LHH	98 Budget	98 Actual	99 budget	99 actual	00 budget	00 actual	01 budget	01 actual	02 budget	02 actual
Permanent Salaries	459,926	484,704	473,932	494,220	491,762	508,154	509,164	490,271	538,314	450,310
Temp Salaries		18,512				4,472		14,967		31,327
Premium Pay	14,253	0	16,253	18,794	16,253	20,118	16,253	19,917	16,253	18,800
Overtime	1,122	215	1,122	1,767	1,122	8,281	1,122	16,009	1,122	47,692
Holiday Pay	15,700	15,279	15,700	16,220	15,700	17,495	15,700	17,264	15,700	16,345
Fringe	115,071	146,915	117,880	91,677	121,191	97,717	129,309	126,453	138,671	116,859
Total	606,072	665,625	624,887	622,678	646,028	656,237	671,548	684,881	710,060	681,333

Primary Care	98 Budget	98 Actual	99 budget	99 actual	00 budget	00 actual	01 budget	01 actual	02 budget	02 actual
Permanent Salaries	32,799	32,799	33,815	33,815	34,888	34,888	36,618	36,618	38,300	38,300
Temp Salaries										
Premium Pay										
Overtime										
Holiday Pay										
Fringe	7,097	7,097	7,748	7,748	7,934	7,934	8,468	8,468	8,606	8,606
Total	39,896	39,896	41,563	41,563	42,822	42,822	45,086	45,086	46,906	46,906

SFGH	98 Budget	98 Actual	99 budget	99 actual	00 budget	00 actual	01 budget	01 actual	02 budget	02 actual
Permanent Salaries	1,897,245	1,934,513	1,824,734	2,117,229	2,061,662	2,051,675	2,283,565	2,131,075	2,446,144	2,194,601
Temp Salaries										
Premium Pay										
Overtime	171,336	402,698	203,178	300,526	274,992	476,704	306,445	662,561	271,076	891,043
Holiday Pay										
Fringe	466,644	588,118	519,886	409,616	497,266	439,699	545,080	580,247	611,148	535,081
Total	2,535,225	2,925,329	2,547,798	2,827,371	2,833,920	2,968,078	3,135,090	3,373,883	3,328,368	3,620,725

DPH TOTAL	98 Budget	98 Actual	99 budget	99 actual	00 budget	00 actual	01 budget	01 actual	02 budget	02 actual
Permanent Salaries	2,588,554	2,652,078	2,537,788	2,857,896	2,739,176	2,727,660	2,984,969	2,815,199	3,182,534	2,800,962
Temp Salaries	16,810	25,598	17,314	8,507	17,314	19,342	17,314	22,765	17,314	45,394
Premium Pay	14,253	3,919	16,253	23,319	16,253	23,029	16,253	21,117	16,253	19,524
Overtime	190,653	439,311	223,041	356,230	294,855	536,353	326,308	719,231	290,939	980,171
Holiday Pay	15,700	15,279	15,700	16,220	15,700	19,536	15,700	20,511	15,700	17,757
Fringe	639,089	798,090	697,820	552,342	665,561	570,827	724,572	760,392	801,532	691,816
Total	3,465,039	3,934,275	3,507,916	3,814,514	3,748,859	3,896,747	4,085,116	4,359,215	4,324,272	4,555,624
		(469,236)		(306,598)		(147,888)		(274,099)		(231,352)

Source: James Alexander, Department of Public Health

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BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF CANCELLED MEETING

RULES AND AUDITS COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the meeting of the Rules and Audits Committee scheduled for January 21, 2003 at 1:00 p.m. at 1 Dr. Carlton B. Goodlett Place, Room 263, City Hall, San Francisco, California, has been **cancelled**.

Gloria L. Young, Clerk of the Board

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POSTED: January 16, 2003

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City and County of San Francis

Meeting Agenda

Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo San...

Clerk: Victor Young

Wednesday, January 29, 2003 | **1:00 PM** | **Legislative Chambers**

Special Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance.

AGENDA CHANGES

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REGULAR AGENDA

1. 030121 **[Amend Rules of Order - New Committee Structure]**
Supervisor Gonzalez
Motion amending Rules of Order of the Board of Supervisors of the City and County of San Francisco, by repealing Sections 5.1 through 5.8 and replacing them with new Sections 5.1 through 5.6, thereby creating a new committee structure of the Board.

1/21/03. RECEIVED AND ASSIGNED to Rules and Audits Committee

2. 030122 **[Amend Rules of Order - Establish Joint City and School District Select Committee]**
Supervisor Gonzalez
Motion amending the Rules of Order of the Board of Supervisors adding Section 5.7 establishing a Joint City and School District Select Committee.

1/21/03. RECEIVED AND ASSIGNED to Rules and Audits Committee

3. 030124 **[Directing Budget Analyst]**

Supervisor Gonzalez

Motion directing the Board of Supervisors Budget Analyst to explore budget reduction strategies and revenue enhancement options and prepare recommendations for consideration by the Board of Supervisors Budget Committee for the fiscal year 2003-2004 Annual Appropriation Ordinance and Annual Salary Ordinance.

1/21/03. RECEIVED AND ASSIGNED to Rules and Audits Committee.

4. 030125 **[Directing the Budget Analyst]**

Supervisor Gonzalez

Motion directing the Budget Analyst to include policy recommendations, when deemed appropriate by the Budget Analyst, in its reports to the Board of Supervisors.

1/21/03. RECEIVED AND ASSIGNED to Rules and Audits Committee.

5. 030039 **[Amend Administrative Code Article VIII, the San Francisco Museum and Historical Society Advisory Committee]**

Supervisor Peskin

Ordinance amending Article VIII of the San Francisco Administrative Code by amending Section 2A.166 to expand the membership of the San Francisco Museum and Historical Society Advisory Committee ("Committee"), to clarify the Committee's annual reporting requirements and to establish a minimum bi-monthly meeting schedule for the Committee.

1/13/03. ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee. expires on 2/12/2003.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Rules and Audits Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

There are no items currently pending under the 30 day rule

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

Both the Committee Room (Room 263) and the Legislative Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requested 48 hours before the Committee meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

· Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

· The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall; by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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BOARD of SUPERVISORS

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NOTICE OF CANCELLED MEETING

RULES AND AUDITS COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the meeting of the Rules and Audits Committee scheduled for Tuesday, February 4, 2003 at 1:00 p.m. at 1 Dr. Carlton B. Goodlett Place, Room 263, City Hall, San Francisco, California, has been **cancelled**.

Gloria L. Young, Clerk of the Board

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City and County of San Francisco
Meeting Minutes
Rules and Audits Committee

Members: Supervisors Tony Hall, Matt Gonzalez and Gerardo Sandoval

Clerk: Victor Young

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Monday, February 10, 2003 | **2:30 PM** | **City Hall, Room 263**

Special Meeting

Members Present: Tony Hall, Matt Gonzalez.

Members Absent: Gerardo Sandoval.

MEETING CONVENED

The meeting convened at 2:39 P.M.

030180 [Amending Rules 3.7 and 3.8 of the Rules of Order governing the reporting of legislation from Board Committees to the Board]

Supervisor McGoldrick

Motion amending Rules 3.7 and 3.8 of the Rules of Order of the Board of Supervisors to provide that Board Committees have until 9:00 a.m. on Thursdays to report legislation to the Board for the following Tuesday's Board meeting, except that legislation reported by the Rules Committee at a Wednesday meeting must be submitted to the Clerk by 12:00 noon that day to be considered at the following Tuesday's meeting.

2/4/03. RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee: Speakers: Supervisor McGoldrick; Gloria Young, Clerk of the Board; Kay Gulbengay Deputy Clerk of the Board; Ted Lakey, Deputy City Attorney. To Board as a committee report Tuesday, February 11, 2003.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

030154 [Rules of Order to limit three unexcused absences for Supervisor from Commitee]

Supervisor Peskin

Motion amending the Rules of the Board of Supervisors to provide that if a Supervisor has more than three unexcused absences from a Committee during a six-month period, the Supervisor shall have vacated the Committee position, and the President shall be requested to fill the Committee vacancy.

1/27/03. RECEIVED AND ASSIGNED to Rules and Audits Committee

Heard in Committee. Speakers: Supervisor Peskin; Supervisor McGoldrick. To Board as a committee report Tuesday, February 11, 2003

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

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030175 **[Amend Rules of Order - Committee Size]**

Supervisor Gonzalez

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco, by amending Section 5.12 to provide that all standing and special committees shall be comprised of three Supervisors.

2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speaker: Ted Lakey, Deputy City Attorney. To Board as a committee report Tuesday, February 11, 2003

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

030076 **[Supervisors serving on outside Boards and Commissions]**

Supervisor Gonzalez

Motion amending Rule 6.15 of the Rules of Order of the Board of Supervisors to provide that before a Supervisor may be appointed to a second outside Board of Commission (excluding the San Francisco LAFCO and the Transportation Authority) every other Supervisor shall have been given the opportunity to serve on at least one outside Board of Commission.

1/13/03. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: None. To Board as a committee report Tuesday, February 11, 2003

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

030176 **[Appointment, Public Utilities Commission]**

Motion approving the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission, for the term ending January 15, 2007. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Companion measure to Files 030177 and 030178.

Transmittal date - January 30, 2003.

2/4/03. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speaker: Ashook Bhatt. To Board as a committee report Tuesday, February 11, 2003

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

030177 **[Appointment, Public Utilities Commission]**

Motion rejecting the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission. (Mayor)

2/4/03. RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speaker: Ashook Bhatt.

FILED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

030178 [Appointment, Public Utilities Commission]

Motion taking no position concerning the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission, for term ending January 15, 2007. (Mayor)

2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speaker: Ashook Bhatt.

FILED by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

022042 [Planning Audit Implementation Advisory Group]

Supervisor McGoldrick

Resolution establishing an 11-member Planning Audit Implementation Advisory Group to advise the Board of Supervisors and the Planning Department on implementing the recommendations of the Budget Analyst in his Management Audit of the Planning Department, directing the Advisory Group to produce a report to the Board by May 30, 2003, directing the Director of Planning to provide staff assistance to the Advisory Group, and providing that the Advisory Group shall sunset its operations on July 30, 2003 unless extended by the Board of Supervisors.

12/16/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Heard in Committee. Speakers: Supervisor McGoldrick, Gerald Green, Director of Planning; Shelley Bradford Bell, Planning Commission.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

030183 [Establish West Geary Boulevard Working Group]

Supervisor McGoldrick

Motion establishing the West Geary Boulevard Working Group to review and analyze proposals for changes in land use and transportation along the Geary corridor west of Van Ness Avenue, including, but not limited to the Municipal Railway's "Visions for Rapid Transit in San Francisco," former Supervisor Leno's proposal for "Trans-Oriented Neighborhood Commercial Districts and Transit Intensive Special Use Districts," and to develop a consensus document exploring the advisability of increases in density along the Geary corridor west of Van Ness with corresponding improvements in transit service and other related neighborhood improvements, and recommending steps to realize such improvements.

2/4/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03

2/6/03, TRANSFERRED to Rules and Audits Committee

Heard in Committee. Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Hall, Gonzalez
Absent: 1 - Sandoval

ADJOURNMENT

The meeting adjourned at 4:57 p.m.

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